

Creighton Univ.

Law

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Creighton University
Bulletin

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Announcement
of the
COLLEGE OF LAW

1910-1911-1912


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UNIVERSITY OF ILLINOIS

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Creighton College of Law



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CALENDAR

1911

September 4-6—Monday to Wednesday, Registration.

September 7—Thursday, Classes Commence.

November 30-December 2—Thursday to Saturday, inclusive,
Thanksgiving Recess.

December 15-23—Friday to Saturday, inclusive, First Semester Examinations.

December 23—Saturday, Christmas Recess begins 12 M.

1912

January 2—Tuesday, Second Semester begins 8 A. M.

February 7—Wednesday, Founders' Day. Holiday.

February 22—Thursday, Washington's Birthday. Holiday.

April 5—Friday, Easter Recess begins 8 A. M.

April 15-26—Tuesday to Friday, inclusive, Second Semester Examinations.

April 27—Saturday, Commencement.

FACULTY

EUGENE A. MAGEVNEY, S. J.,
President of the University.

TIMOTHY J. MAHONEY,
(LL. B., University of Iowa, 1885; A. M., Creighton,
1907; County Attorney of Douglas County, 1889-1893;
President of the Nebraska Bar Association, 1907).
Dean Emeritus, and Lecturer on International Law and
the Law of Public Officers.

CONSTANTINE J. SMYTH,
(A. M., Creighton, 1907; Attorney General of Nebraska,
1897-1901).
Associate Dean Emeritus, and Lecturer on Practice.

WILLIAM P. WHELAN, S. J.,
Supervisor of the Professional Departments of the Uni-
versity, and Lecturer on Legal Ethics.

PAUL L. MARTIN,
(A. B., Creighton, 1900; A. M., 1905; LL. B., Harvard
University, 1905).
Dean, and Professor of Contracts and Conflicts.

JOHN A. BENNEWITZ,

(A. B., Creighton, 1901 ;A. M., 1904; LL. B., Georgetown University, 1904).

Professor of Torts, Real and Personal Property, Wills and Administration, Code Pleading, and Director of the Model House.

FRANK CRAWFORD,

(A. B., Yale University, 1891; LL. B., University of Michigan, 1893).

Professor of Public Service Companies.

HERBERT S. DANIEL,

(LL. B., University of Virginia, 1901; City Prosecutor of Omaha, 1906-1909).

Professor of Insurance and Agency.

JAMES P. ENGLISH,

(County Attorney of Douglas County, 1903-1904; 1907-1908; 1909 to date).

Professor of the Law of Crimes and Criminal Procedure.

JAMES A. C. KENNEDY,

(LL. B., University of Nebraska, 1900; Deputy County Attorney of Douglas County, 1904-1906; Referee in Bankruptcy, 1906 to date).

Professor of Private Corporations.

EDWARD F. LEARY,

(A. B., Creighton, 1902; LL. B., 1907).

Professor of Persons and Domestic Relations.

HENRY P. LEAVITT,

(A. B., University of Nebraska, 1896; LL. B., Omaha School of Law, 1898; A. M., Creighton, 1907; Member of Nebraska Bar Examining Commission, 1907-1908).

Professor of Damages.

HARLEY G. MOORHEAD,

(Ph. B., Oberlin College, 1899; LL. B., Columbia University, 1902).

Professor of Bankruptcy and Sales of Personal Property.

JOHN A. RINE,

(LL. B., University of Michigan, 1900; Referee in Bankruptcy, 1903-1906; Assistant City Attorney of Omaha, 1906-1910; 1911 City Attorney of Omaha).

Professor of Municipal Corporations.

EDWARD W. SIMERAL,

(County Attorney of Douglas County, 1887-1889).

Judge of Division No. 2, Moot Court.

SIDNEY W. SMITH,

(LL. B., University of Wisconsin, 1900).

Professor of Suretyship and Mortgages.

LOUIS J. TE POEL,

(A. B., University of Nebraska, 1902; A. M., Columbia University, 1905; LL. B., 1905).

Professor of Equity, Trusts, Constitutional Law, Taxation, Bills and Notes, Legal Bibliography.

DUNCAN M. VINSONHALER,

(LL. B., University of Michigan, 1891; Judge of the Douglas County Court, 1900-1906).

Professor of Evidence, and Judge of Division No. 1, Moot Court.

ALBERT R. WISE, S. J.,

Professor of Public Speaking.

FRANK H. WOODLAND,

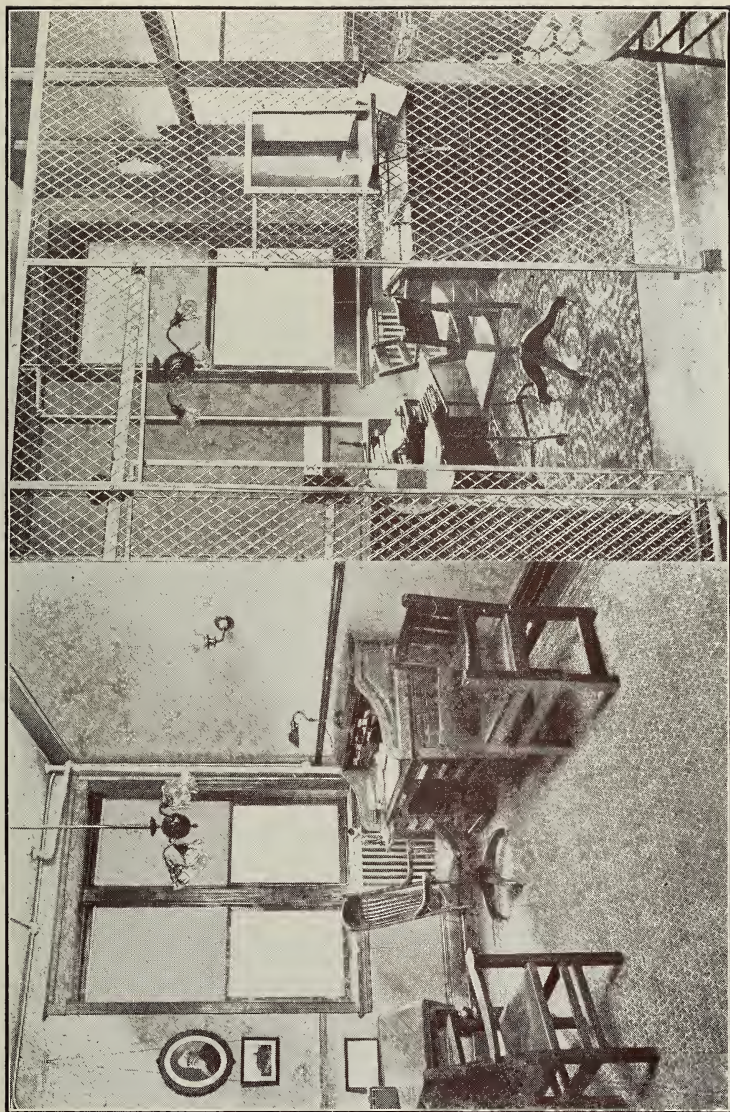
(A. B., University of Nebraska, 1900).

Professor of Common Law Pleading.

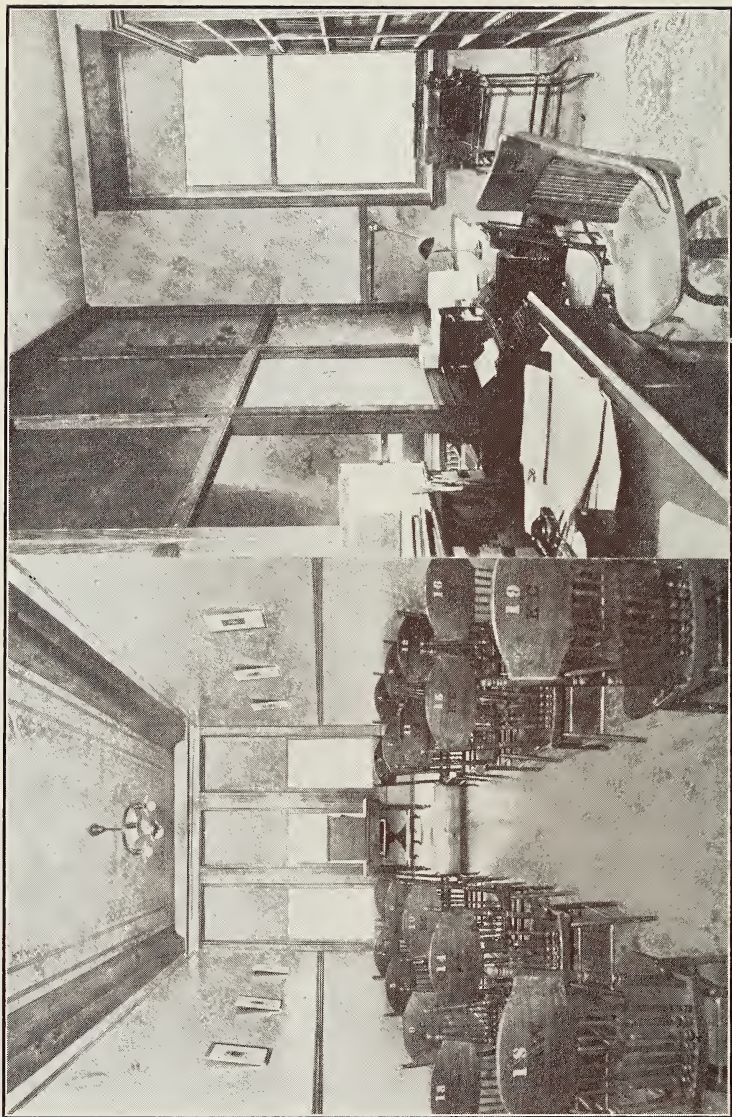
RAYMOND G. YOUNG,

(LL. B., Creighton, 1908).

Professor of Damages and Quasi-Contracts.



Office of Dean and Secretary



Lecture Room and Librarian's Office

LECTURERS

HARRISON C. BROME,

Lecturer on Statutes and Statutory Construction.

WILLARD EDDY,

(A. B., Yale University, 1870; A. M., 1873; LL. B., University of Albany, 1871).

Lecturer on Patents.

ALFRED G. ELLICK,

(LL. B., University of Michigan, 1900; Special Assistant City Attorney of Omaha, 1904-1905; Deputy County Attorney of Douglas County, 1907 to date).

Lecturer on Practice.

LEE S. ESTELLE,

(Judge of the Douglas County District Court).

Lecturer on Practice.

FRANK H. GAINES,

(B. S., Knox College, 1884).

Lecturer on Titles and Conveyancing.

WILLIAM H. MUNGER,

(Judge of the United States Circuit and District Courts).

Lecturer on Federal Procedure.

DANIEL J. RILEY,

(A. B., St. Mary's College, 1896; LL. B., University of Nebraska, 1900).

Lecturer on Banks and Banking.

EDWARD P. SMITH.

(LL. B., University of Iowa, 1885).

Lecturer on Practice.

JOHN F. STOUT,

Lecturer on Judgments.

ARTHUR C. WAKELEY,

(B. Lit., Cornell University, 1878).

Lecturer on the Civil Law.

JOSEPH W. WOODROUGH,

Lecturer on Practice.

M. A. BYRNE,

Secretary to the Dean.

JOHN W. DELEHANT,

(A. B., Creighton, 1910).

Librarian.

Historical Sketch

The Creighton University, founded in 1878, owes its origin and growth to Edward and John A. Creighton and their wives, whose combined benefactions amount to several millions of dollars. Its enrollment is nearly one thousand men, divided among the High School, Under-graduate, Post-graduate, Medical, Law, Dental and Pharmacy Departments. The High School, Under-graduate, Post-graduate, Medical and Pharmacy Departments are housed in separate buildings erected for their sole use, and the Law and Dental Departments occupy the same building jointly. No expense has been spared to provide the various buildings with the special equipment necessary to attain the highest efficiency.

Thanks to the munificence of its founders, the University offers a free eight-year High School and College Course, and the charges in its professional departments are moderate. The prevailing spirit of the University is one of helpfulness, and in the thirty-three years of its existence it has contributed in no small degree to the upbuilding of the West, through its more than one thousand graduates who are now scattered all over the country. Its ideals have been high, and toward their realization it has made measurable progress.

The Creighton College of Law, one of the four professional departments of The Creighton University, was opened in October, 1904, in temporary quarters provided by the College of Medicine; in the fall of 1905 the department moved to its new building, the Edward Creighton Institute, a splendid four-story brick and stone structure sixty-six feet wide and one hundred and twenty-six feet long, especially constructed for the joint use of the Law and Dental Departments of the University, at 210 South Eighteenth Street, opposite the Omaha City Hall, within a half block of the new million-dollar Douglas County Court House, and within from one to three blocks of the principal office buildings of the city.

The new home of the department is provided with every modern convenience, electric elevator, gas and electric lights, hot and cold water and toilet rooms on every floor, locker rooms, students' lobby, smoking and lounging room, commodious lecture halls, reading rooms, offices for the faculty, assembly halls suitable for social gatherings, public functions, meetings of class organizations, etc. The lecture halls, of which there are five, are exceptionally well lighted and ventilated, and every effort has been made to surround the students with conditions the most favorable for study.

Location

For persons intending to practice law in the West, there is no doubt of the superior advantages offered by a practical Western law school as contrasted with the opportunities afforded by an Eastern school whose teachers are unfamiliar with the West, whose large enrollment prevents preparation for practice in any particular locality, and—what is of infinitely more moment, prevents that close personal contact which is possible only in institutions of smaller enrollment.

Apart from the prestige of years, Eastern schools have little to offer which cannot be duplicated in Western institutions, and in point of preparation for actual practice, are at a serious disadvantage. It is self-evident that a school depending for its support upon the whole country cannot specialize in the practice of each jurisdiction, and students from distant states must postpone their practical training until they have actually entered the professional ranks—obviously a serious disadvantage in the fierce competition of the bar. Moreover, a school with large classes cannot hope to give its students the same personal attention they may receive in the smaller classes of more highly specialized institutions.

The Creighton College of Law aims to ground its students thoroughly in the principles of the whole law, and in addition to fit them specially for practice in the Code states. This it does to advantage, in comparison with the larger eastern schools, because of its

smaller classes, rendering personal contact possible, and because of its narrowed scope, making possible practical training for the conduct of law business in this section of the country; and in comparison with schools nearer home, because of its location in the metropolis of the state, under the very shadow of Federal, State and Municipal Courts, and with the active support of the unsurpassed bar of Douglas County,—a bar which has furnished two presidents to the American Bar Association.

The school is located a half block from the Douglas County Court House, where seven divisions of the District Court and the County Court are constantly in session, four blocks from the Federal Building where the United States District and Circuit Courts hold their sessions, eight blocks from the Municipal Court, and within from two to four blocks of the various Justice of the Peace Courts. The students thus have every opportunity to observe the practical workings of the law as exhibited in the trial of cases, the probate of estates, etc., and for those who find leisure, the many law offices of the city, most of them within two blocks of the school, afford still further opportunities for gaining a practical knowledge of the conduct of a law office. These latter are advantages peculiar to large cities, and the school can therefore offer practical advantages to be had nowhere else in this vicinity.

For those students who find it necessary, or deem it advisable, to earn part or all of their expenses while studying, it is needless to say that a large city offers advantages which are out of the question in smaller places; and for all students, whatever their inclinations, a metropolitan city offers advantages in the way of churches, benevolent institutions, educational opportunities, amusements, etc., which come only with the growth of population. With the increasing complexity of human affairs the law has become a many-sided profession, attaining its highest development only in the large cities, whose metropolitan atmosphere, imperceptible and elusive as the air one breathes, is not less essential to the fullest mental growth and professional development than is the air to the fullest physical growth and bodily development.

Faculty

The teaching staff is recruited entirely from the ranks of practicing lawyers who have prepared for their profession by taking a thorough course in a high-grade law school. This gives the institution a distinctly practical atmosphere, which is apt to be lacking in a strictly theoretical school whose teachers have either never been practitioners, or have retired from the practice, and are therefore apt to become too academic, delighting in the study of law for its own sake, as if it were a mere theoretical science, rather than a practical means of gaining a livelihood. The teachers bring to their work the zeal of men who, from daily contact with the practical side of the profession, realize the need of thorough training and are therefore on the alert to correct and supplement the ideas gleaned by the student in his study of the theoretical side of the law.

The school is not hampered by any policy which, for the mere sake of consistency, must be persevered in; on the contrary, it is free to adapt itself to the growing needs of its students, and this it has done and proposes to do with the single object in view—the up-building of an institution which will give its students a high ideal of the law as a profession, and an equipment which will be of service in attaining and maintaining that ideal. The policy has been, not to send out graduates whose memories were stuffed with legal rules, but rather men of well disciplined minds and staunch character, who will be of service to their fellows and an honor to their college.

Method of Instruction

There is probably no phase of American Law School development about which there has been more discussion than the method of instruction. In the main there are three well recognized systems: (1) The Lecture System; (2) The Text-Book System; (3) The Case System.

The Lecture System contemplates the delivery by the professor of set lectures, and is now largely discredited.

The Text-Book System contemplates the study by the students of a portion of a text which is then discussed in the class-room under the direction of the teacher.

The Case System, or Laboratory Method, is a radical departure from both these systems, and was designed to throw the student, as soon as possible, into the actual work of the practice. Both the Lecture and Text-Book systems are apt to degenerate into mere memory work, while the Case System, though involving very much more labor for both instructor and student, is better suited to develop the analytic faculties of the mind, at the same time that the memory is being stored with legal principles. It is the nearest possible approach to the work of the practicing lawyer who examines adjudicated cases in search of the principle of law applicable to the case in hand.

It is sometimes erroneously supposed that under this Case System, the students are engaged in memorizing a certain number of typical cases, and that therefore they will be able, as practitioners, to handle only such cases as happen to coincide with the ones studied at school. On the contrary, the diligent Case System student will have acquired such a mastery of the art of analysis, and such a fund of legal knowledge, that no matter how novel or complicated the case may be which is presented to him for solution as a practitioner, he should be able to conduct an investigation both as to the facts

and legal principles involved which will enable him to reach a proper conclusion.

Each of these systems has its advocates, though there are comparatively few law schools which confine themselves to any one of these methods.

Believing that each has its advantages, the Creighton College of Law has tried to give its students the benefit of all three. The bulk of the instruction is given under the Case System, each student being required to examine selected cases in search of the principles on which they were decided, and eventually collating the results in a summary which gives him an exact statement of the existing law. Copious references and citations are given to eluding text-books on the matter thus covered, and in a few courses, though selected cases are made the basis of instruction, a companion text, specially prepared for use with the cases, is also studied. Courses regarded as of relatively less importance, because more highly specialized, are given in the form of lectures. These courses, however, are, with one exception, electives. In all the courses the fullest discussion on the part of the students is encouraged, thus enabling each man to clear up the doubts which arise as the work proceeds. None of the classes being unwieldy in numbers, every student is frequently quizzed by the instructor, and every possible opportunity is afforded for that free interchange of ideas which is the first essential of real education.

The results obtained during the past seven years through the combination of these three methods of instruction have been eminently satisfactory. The combined system avoids the danger of lack of mental discipline which confronts schools confining themselves to the Lecture or Text-Book Systems, and the danger of leaving important branches of the law untouched, which confronts schools confining themselves to the Case System. This latter system is necessarily so slow that where it is followed exclusively, the average student graduates without having learned even the most rudimentary principles of various important divisions of the law, owing to lack of time in which to do the work.

Under this combination system the average student will learn all he would in a Case System school of the proper method of study, and in addition, will become familiar with branches of the law of which, for lack of time, he must be ignorant on graduation from a school where the strict Case System prevails. On the other hand, the average student will acquire a mental discipline which he could scarcely get in a Lecture or Text-Book school, and in addition will cover as wide a field as if he studied in such an institution. In a word, his work will be better proportioned than if he studied exclusively under any one of these systems, for he will have both the depth of the Case System, and the breadth of the Lecture or Text-Book System.

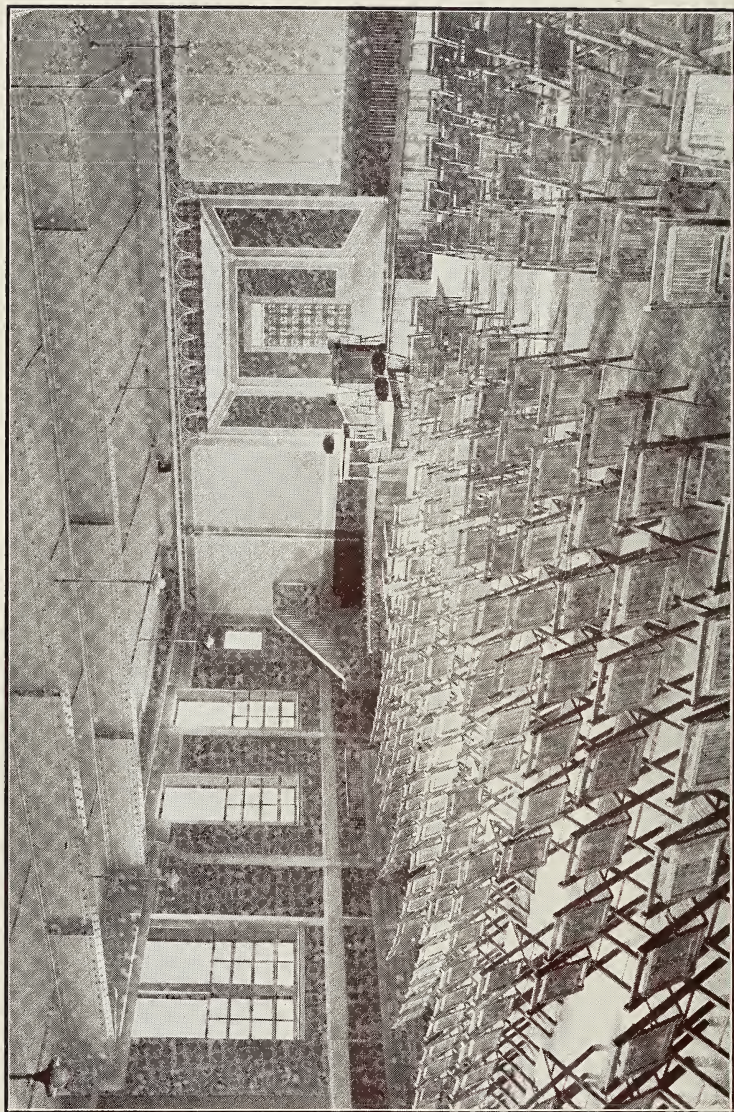
Moot Court

Law is a science, its practice an art. Law schools have confined their instruction very largely to the scientific phase, and have ignored the practical application of the scientific principles,—a matter of prime importance to the man who hopes to earn a living at the law, for no matter how complete one's knowledge of principles, unless he can apply them practically he will be helpless.

One difficulty in the way of teaching practice, particularly in so-called national law schools deriving their support from large areas of the country, is the difference which exists between the different states in the practical application of legal principles about which there may be no dispute. Each state has its own organization of courts, its own rules of procedure, its own customs and precedents with which the practitioner must acquaint himself if he would succeed. For instance, the essentials of a valid contract would ordinarily be the same the country over, but the machinery devised by the law for the enforcement of a right based on a broken contract would differ with the jurisdiction in which redress is sought. Hence, instruction in that vast body of the law known technically as "the adjective law" or the law which governs litigants before, during and after trial, is in many schools omitted, and graduates of such



View in Students' Reading Room and Library



Moot Court

institutions must spend an apprenticeship of one or two years in a lawyer's office before they are ready to proceed intelligently on their own account. In other institutions, this practical work is covered, after a fashion, in set courses of lectures, or perhaps through the study of a case-book, but no provision is made for the actual application, under the guidance of a trained staff, of the knowledge thus imparted.

Believing that a properly organized, efficiently administered practice course may be made to fill the gap which has so long been felt by legal educators, the Creighton College of Law has, for some years, conducted a Moot Court the work of which is required from every candidate for a degree, class credits being assigned according to the regularity and quality of the work done. The court is divided into three branches, one having to do with the trial of causes at law, before a jury; one with the trial, before a judge, of the more technical forms of action on the law, equity and probate side; and the other with appellate procedure, this branch being presided over by the Seniors as Associate Justices, under the direction of a member of the faculty who presides as Chief Justice.

Statements of fact are prepared by the faculty illustrating the principal doctrines of the scientific instruction given in the regular classes, and these statements are made the bases of the cases which are conducted, as nearly as possible, like the proceedings of a regular court. Pleadings are prepared, summons served, preliminary motions, demurrers, etc., are argued, and, after the issues are made up, a jury is empanelled, witnesses sworn, examined and cross-examined, questions of law and fact are discussed, the jury (if there be one) is instructed, and its verdict is recorded in the docket of the Moot Court. All of the students participate in the work of the court, seniors and juniors acting as attorneys, and freshmen as parties, witnesses and jurors. All of the sessions of the court are supervised by a member of the faculty, Hon. Duncan M. Vinsonhaler presiding over the jury trials, and Hon. Edward W. Simeral over the equity,

probate and appellate work. At the conclusion of each case, the presiding judge points out the mistakes made by counsel and emphasizes the important features of the trial. The court thus serves the double purpose of training the students in practice, and of affording them an opportunity to review the work of the regular classes.

The training of the Moot Court is further supplemented by lectures in the practice course given from time to time by members of the bench and bar on subjects of special importance to lawyers.

Public Speaking

The ability to express thought is to no one more valuable than to the lawyer. No matter how learned he may be, his learning will be worthless in the practice of his profession unless it be coupled with the ability to communicate it clearly and intelligently to another, be that other a client, a judge or a jury. A lawyer need not be an orator, but to attain even mediocre success he must be a ready and convincing speaker.

In the Creighton College of Law, the art of public speaking is fostered in the course on that subject and in the Model House, which is offered as a substitute for the old-fashioned debating society, and is modeled, so far as the limitations will permit, upon the National House of Representatives, and incidentally, of course, embodies the essential features of the legislatures of the states.

The House, which is presided over by a member of the faculty, is conducted in strict accordance with parliamentary rules. Committees are organized, bills of present day interest introduced, referred to committee, reported, discussed and disposed of; in fact the aim is to make the work as realistic and practical as possible.

This department has many advantages over the ordinary debating society. It affords more individual opportunity; the character

of the work furnishes more incentive and inspiration for *ex tempore* speaking; it fits the students for their duties in public assemblies; it gives them, while studying the law, an insight into the manner of making laws, and it develops a quickness of thought and a readiness of expression which cannot but prove invaluable.

The course on public speaking is of obligation for all students who do not present satisfactory evidence showing that they have completed an equivalent course, and for all students the work of the Model House is of obligation, at least two years' participation in the exercises of this assembly being required for graduation.

Each year there are held two intercollegiate debates which are open only to members of the Model House. Two prizes of twenty-five dollars, two of fifteen and two of ten are offered to the successful contestants in these debates.

Libraries

Students have access to a law library containing nearly ten thousand volumes, embracing the reports of all the courts of last resort in the various states and territories of the union; the complete Reporter System; Lawyers' Reports Annotated, (both series); American and English Annotated Cases; complete reports of all the federal courts, together with Rose's Notes on the decisions of the United States Supreme Court; the complete American Digest, including Century, Decennial and Annual editions; the Cyclopaedia of Pleading and Practice; American and English Encyclopaedia; Current Law; a very comprehensive collection of standard text-books and legal periodicals, and a large number of other books and pamphlets such as are generally found in first-class law libraries.

In addition to this law library, the students may enjoy the use of the University library which contains 20,000 volumes, and of the Omaha Public Library (two blocks distant from the school) containing 91,000 volumes.

Night Classes

Since September 1st, 1909, the Department has offered instruction in a four-year Night Course, in addition to its regular three-year Day Course. The professors, books, method of instruction, entrance, attendance and graduation requirements are the same in both courses, except for the additional year in the Night Course.

According to a recent report made to the American Bar Association by its Committee on Legal Education and Admissions to the Bar, there are thirty law schools in the United States having night courses only, and ten other schools with both day and night classes, the night students numbering more than three thousand, or approximately one-fifth of the total number of law school students. Of these forty schools, six require four years' study from night students.

On this point the report of the committee says:

"In any system of education the night school has its place, and that a not unimportant one. That which it is desired to emphasize is that in view of the class of students the night school attracts and is intended to accommodate, a night school can not in a period of three years cover in a satisfactory manner and with the thoroughness that is to be desired the same ground which in a like period is covered by the day school. * * * For reasons above suggested the policy of certain of the night schools in lengthening their course to four years is wise and deserves commendation. In the action which they have taken, those schools should have, in the opinion of the committee, the support of the American Bar Association."

In establishing a four-year Night Course Creighton is therefore in accord with the recommendation of the American Bar Association.

There is considerable difference of opinion among those in charge of both day and night law schools as to the proper amount of work per week which should be required from the students, but in providing ten hours of instruction per week for its night classes

Creighton is keeping pace with the trend of thought among legal educators. The report just referred to says:

“Although some of the night schools prescribe only five or six hours of class-room work a week, the majority of such schools prescribe nine and ten hours.”

In conducting its night classes Creighton has no desire to cheapen legal education, or provide an easy means of gaining admission to the bar. The step has been taken for the same reasons which have induced other institutions of higher education to provide opportunities of study for those whose circumstances make attendance at day classes impossible. The following extract from the report already quoted is interesting in this connection:

“Law schools in which instruction is given in the evening have been established in different parts of the United States in recent years. These schools are all established in the cities, and the most of them are under private control and not connected in any way with universities.

The reasons which have led to the organization of the night schools are in part the same as those which have led the public authorities in so many of our cities to open night schools for instruction in the common school branches of knowledge. In every large community there are individuals who are obliged during the day to engage in some lucrative employment and who for financial reasons find it impossible to attend a day school, but are glad of an opportunity at night to study law in an evening law school. Then there are judges and lawyers who find it possible to instruct in night schools, but would find it not practicable to engage in similar work during the day. Some of the justices of the Supreme Court of the United States have been regular professors in some of the night schools in Washington. And in night schools in New York, Chicago, and in some of the other cities, judges and lawyers of prominence have engaged in the work of instruction.

In so far as the night schools afford an opportunity to persons who have the requisite qualifications, but who for financial reasons cannot attend the day schools, they render a distinct public service. In a country which has a republican form of government and in which the people rule and many aspire to public office and some attain it, it is certainly desirable that citizens should acquire a knowledge of the laws and of how they are administered. Many of the students in the night schools, fully one-third of them it is said, do not expect to make law a profession. They study law for business reasons. That the knowledge of the law which these persons thus acquire is a distinct advantage to them no one will be disposed to question. That there may be a legitimate demand for night schools in the large cities may be taken for granted. The manner in which these schools are conducted does not justify indiscriminating criticism. There are good night schools and bad night schools, as there are both good and bad day schools. A school is not to be condemned necessarily because it is a night school nor commended simply because it is a day school."

Apart from the opportunities afforded by the night classes for giving instruction in the law to those whose other employment prevents day study, it is believed that the night course will appeal very strongly to those persons who for one reason or another have been unable to secure as much preliminary training as they desire, but who do not wish to postpone their professional course while attending undergraduate classes to supplement their preparation for the law. Students of the night school will be allowed to elect a certain number of hours' work in the undergraduate department of the University without extra expense, except the cost of text-books, and will be permitted to register for as many hours in the night school as they can satisfactorily carry. It will therefore be possible for persons of maturity, good natural ability and marked industry to obtain both the A. B. degree and the LL. B. degree in less than the seven years usually required.

It is not necessary for students to take the whole of either the day or night course—they may elect such subjects as will specially assist them in their particular kind of business, and the tuition will be apportioned according to the work taken.

Course of Instruction

The day course embraces three years of thirty-four weeks each; the night course four years of thirty-four weeks each. The day lectures are given from Monday to Friday inclusive, beginning at eight o'clock in the morning and ending at ten, eleven or twelve o'clock according to the schedule for the particular day; the night lectures are given from Monday to Friday inclusive, beginning at six thirty o'clock in the evening, and ending at eight, or eight thirty o'clock, according to the schedule for the particular evening.

The sessions of Division No. I of the Moot Court are held at eight o'clock on Friday evening from October to March, and attendance is required on the part of all students; the sessions of Division No. II are held at nine o'clock on Saturday morning from October to March, and attendance is required on the part of second and third year men.

The division of the day work is as follows:

First Year

Criminal Law—Two hours a week.....*Mr. English*

Sources of the criminal law; criminal procedure; the indictment; former conviction or acquittal; the criminal act; the criminal intent; the intent as affected by circumstances; intent in statutory offenses; justification; parties in crime; jurisdiction over offenses; crimes against the person; larceny; embezzlement; obtaining property under false pretenses; receiving stolen property; crimes against the dwelling house; criminal conspiracy; nuisance; contempt and disbarment; territorial jurisdiction; extradition.

Beale's Cases on Criminal Law, (2nd ed.); The Nebraska Criminal Code and Maxwell's Criminal Procedure.

Torts —Two hours a week First Semester; one hour a week Second Semester.....*Mr. Bennewitz*

Tort distinguished from contract, crime, moral duty; deceit; unfair competition; negligence; slander of title; malicious prosecution; abuse of process; false imprisonment; assault and battery; seduction and enticement; procuring breach of contract; procuring refusal of contract; slander and libel; trespass; conversion; violation of right of support; violation of water rights; nuisance; damage by animals; escape of dangerous things; common aspects of specific torts.

Simpson's Cases on Torts; Supplemented by Bigelow's "The Law of Torts," 8th Ed.

Contracts —Two hours a week.....*Mr. Martin*

Formation of simple contracts, including mutual assent, offer, duration and termination of offers, acceptance, consideration; formation of contracts under seal, including formalities, delivery and consideration; parties affected by contracts, including contracts for the benefit of third persons, assignment of contracts, joint obligations; the Statute of Frauds, including contracts within the Statute, and satisfaction of the Statute; performance of contracts, including conditions precedent and subsequent, implied conditions and effect of plaintiff's failure to perform his promise, impossibility; illegal contracts, including contracts in restraint of trade, wagers and gaming contracts, contracts obstructing the administration of justice, contracts tending to corruption, effect of illegality; discharge of contract by parol agreement, novation, release, accord and satisfaction, arbitration and award, surrender and cancellation, alteration, merger.

Williston's Cases on Contracts. Vols. I and II.

Property —Two hours a week.....*Mr. Bennewitz*

Distinction between real and personal property; nature and acquisition of rights in personal property, including suits for the recovery of personal property, acquisition of rights not under former

owner, e. g., wreck, waifs, estrays and deodands, judgments, sales in market overt, Statute of Limitations, accession, confusion; transfer of rights in personal property; bailments, finding; tenure of land under the feudal system; estates, including fee simple, fee tail, estate for life, joint ownership, reversions and remainders, etc., seisin and conveyance, including livery of seisin, grant and attornment, release and surrender, devise, disseisin and other ouster; copyholds; uses and trusts; nature and incidents of ownership in real property, including gold and silver mines; wild animals, title deeds, fixtures, emblements, manure, waste, border trees; rights in another's land, including profits, natural rights, e. g., air, earth, water; easements, covenants running with the land, public rights, franchises, rents.

Gray's Cases on Property, Vols. I. and II, (2nd Ed.); Supplemented by Tiffany on the Modern Law of Real Property.

Legal Ethics —One hour a week First Semester. . . . *Prof. Whelan*

Office of the advocate; the advocate and the courts; promotion of publicity; compensation; general practice; criminal practice; relations with client; relations with the bar; legislation; society; property; oath of attorney; contingent fees.

Lectures based on Warvelle's Legal Ethics; Sharswood's Ethics; The Canons of Ethics adopted by the American Bar Association, and Hoffman's Fifty Resolutions.

Common Law Pleading —Two hours a week Second Semester. *Mr. Woodland*

Demurrers, both general and special; effect of demurrer in opening the record; pleas by way of confession and avoidance; pleas by way of traverse; duplicity; departure; new assignment; motions based on the pleadings; arrest of judgment; non obstante veredicto; repleader.

Ames' Cases on Pleading (2nd Ed.).

Quasi Contracts—One hour a week Second Semester. *Mr. Young*

Sources, extent and nature of quasi-contract; obligation of quasi-contract; sources of the obligation; extent of the obligation; nature of the obligation—wherein quasi-contract differs from a pure contract, and from a tort; obligation where there is no contract, actually or in contemplation of the parties; where the plaintiff has suffered a tort; money paid by plaintiff under compulsion; where defendant has received a benefit at the plaintiff's hand; obligation where a contractual relation exists but one party has failed to receive an equivalent for his outlay; where the failure is due to mistake; where the failure is due to non-performance of the contract or a condition thereof by one party.

Keener on Quasi-Contracts.

Persons and Domestic Relations—

Two hours a week First Semester. *Mr. Leary*

Marriage; contract of marriage; husband and wife; divorce and separation; parent and child; infancy; insanity; drunkenness; aliens; the custody, control and discipline of the child; obligation of parent to support child; parent's right to earnings and services of the child, and to an action for damage to parent's right in the child, emancipation; parent's liability for tort to child and vice versa—liability of parent for the tort of the child; period of infancy; interests, contracts and conveyances; infant's liability for torts; infant's responsibility for crime; marriage as the transfer of wife's property to the husband; husband's right to the earnings, services and society of his wife and to an action for damages to his right in the wife and vice versa—emancipation; the husband's interest in and power over his wife's claims on account of tortious damage to her; liability of the husband for the ante-nuptial torts and contracts and the post-nuptial torts of the wife; duty of husband to support the wife; the authority of the wife to make contracts for the husband as his agent; contracts of married women; conveyances of married women; devises by married women; specific performance of

wife's agreement to convey, and the reform of the wife's deed; estoppel of married women; liability of married women for tortious damage caused by them; responsibility of married women for criminal acts; suits between husband and wife; marriage as the extinction of ante-nuptial liabilities of the parties to each other; contracts and conveyances between husband and wife; civil and criminal responsibility of the one spouse for tortious damage to the person or property of the other—husband's right to the custody of his wife and vice versa; estates by entireties.

Kale's Cases on Persons and Domestic Relations.

Second Year

Evidence—Two hours a week.....*Judge Vinsonhaler*

The general character and history of the American law of evidence; judicial notice; presumptions; burden of proof; admissions; law and fact; court and jury; leading principles and rules of exclusion; qualifications and exceptions to the rule against hearsay; real evidence—things presented to the senses of the judge and jury; writings, witnesses, their competency and examination.

Thayer's Cases on Evidence, (2nd Ed.).

Equity Jurisdiction, Pleading and Practice—

Two hours a week.....*Mr. TePoel*

Nature of equity jurisdiction; specific performance of contracts; extent of jurisdiction as regards subject matter of contracts, both affirmative and negative; relief for and against third persons; legal consequences of the right of specific performance; partial performance with compensation; consideration; marketable title; the Statute of Frauds, part performance; plaintiff's default or laches as a bar to relief; fraud, misrepresentation and concealment; mistake; hardship or unfairness; mutuality of equitable relief; bills for an account; specific reparation and prevention of torts; waste; trespass;

disturbance of easements; nuisance; infringement of rights of monopoly, including patent rights, copy-rights, etc.; bills of interpleader; bills of peace; bills quia timet; bills to perpetuate testimony; bills to secure rights of future enjoyment; reformation and rescission for mistake; mutual mistake; unilateral mistake of fact; mistake of law; the Statute of Frauds; defective execution of powers and want of surrender of copyholds; negligence in not discovering and laches in seeking to correct a mistake; persons capable of suing and being sued in Equity; parties; form and requisites of bill; proceedings on behalf of plaintiff and defendant; decrees; amendments, etc.

Ames' Cases in Equity Jurisdiction, Vols. I and II; lectures, selected cases and practical exercises on Equity Pleading and Practice.

Sales—Two hours a week.....*Mr. Moorhead*

The nature and formalities of the contract; bargain and sale; contract to sell existing or specific goods, unascertained or future goods; reservation of *jus disponendi*; the risk of loss; acceptance and receipt, at common law and under the Statute of Frauds; seller's duties, buyer's rights; buyer's duties, seller's rights.

Burdick's Cases on Sales, (2nd Ed.); Supplemented by Burdick's Text on Sales, (2nd Ed.).

Code Pleading—Two hours a week.....*Mr. Bennewitz*

Nature and form of actions; election between actions; parties; joinder of causes of action; petition; answer; reply; remedies for defective pleading; extraordinary legal remedies; statutory proceedings; probate procedure; jurisdiction and practice in Nebraska Courts.

Hinton's Cases on Code Pleading.

Nebraska Statutes, Civil Code and Selected Cases.

Property—Two hours a week First Semester.*Mr. Bennewitz*

Acquisition of real estate inter vivos; original acquisition; lapse of time; the form of conveyances; description of property granted; estates created; creation of easements and profits; covenants for title; estoppel by deed; execution of deeds; dedication.

Gray's Cases on Property, Vol. III, (2nd Ed.).

Wills and Administration—Two hours a week Second Semester.*Mr. Bennewitz*

Acquisition of property on death of former owner; escheat; descent; making, revocation and republication of wills; lapsed, void, and adeemed devises and legacies; grant of probate and administration; estate and powers of executor or administrator; payment of debts, legacies and distributive shares; gifts causa mortis.

Gray's Cases on Property, Vol. IV, (2nd Ed.).

Damages—Two hours a week First Semester.
.*Mr. Leavitt and Mr. Young*

Functions of court and jury in estimating damages; exemplary damages; liquidated damages; nominal damages; direct and consequential damages; avoidable consequences; counsel fees; certainty; compensation; damages for non-pecuniary injuries; value; interest; damages in certain actions of tort; damages in certain actions on contract.

Mechem & Gilbert's Cases on Damages.

Taxation —Two hours a week Second Semester.*Mr. TePoel*

Nature of taxes; nature of the power to tax; limitations of the taxing power by paramount law; purposes for which taxes may be laid; relation of tax to district; equality and uniformity of taxation; official action in matters of taxation; construction of tax laws; cur-

ing defects in tax proceedings; listing of persons and valuation of estates for taxation; collection of taxes; sale of land for unpaid taxes; taxation of business and privilege; taxation by special assessments; enforcing official duty, remedies for wrongful action in tax proceedings.

Goodnow's Cases on the Law of Taxation.

Mortgages—Two hours a week Second Semester. *Mr. Sidney Smith*

Essential elements of legal and equitable mortgages; rights of mortgagor and mortgagee at law and in equity; title, possession, dower, curtesy, waste, priorities, collateral agreements, foreclosure, redemption, extension, assignment and discharge of mortgages.

Wyman's Cases on Mortgages, (Revised Edition); Nebraska Statutes and practical exercises.

Agency—Two hours a week First Semester; one hour a week Second Semester.....*Mr. Daniel*

Definitions and distinctions; for what purposes an agency may be created; who may be principal or agent; appointment of agents and the evidence thereof; authority by ratification; delegation of authority by agent; termination of agency; nature and extent of authority; construction of authority; execution of authority; duties of agent to principal; duties and liabilities of principal to third persons; duties and liabilities of third persons to agents; duties and liabilities of third persons to principal; special classes of agents.

Mechem's Cases on the Law of Agency; Supplemented by Mechem's Outlines of the Law of Agency, (2nd Ed.).

Third Year

Private Corporations—Three hours a week.....*Mr. Kennedy*

The idea of a corporation; the corporation as a subject and source of rights and obligations; special relations arising from the existence of a corporation; description and classes of corporations;

the body corporate; its parentage, conception, birth, anatomy, life and death; rights and duties of the corporation in general; particular powers; ultra vires; corporate relations; governmental control; promoters; officers, shareholders, creditors and others.

Wilgus' Cases on the Law of Private Corporations. Vols. I and II.

Municipal Corporations—One hour a week.....*Mr. Rine*

External constitution of municipal corporations; nature of municipal corporations; creation, alteration and dissolution; legislative control, in general; internal constitution; administration of government in general; departments; powers; acquiring, holding and dealing with property; liability for torts; liability on contracts; remedies of creditors.

Beale's Cases on Municipal Corporations.

Trusts —Two hours a week.....*Mr. TePoel*

The nature and requisites of a trust; distinction between trust and debt, trust and bailment, trust and equitable charge, trust and executorship; language necessary to create a trust; consideration; the Statute of Frauds; subject matter; cestui que trust; trustee; notice to the cestui que trust; nature of the cestui que trust's interest; transfer of trust property; extinguishment of trust; duties of trustee.

Bills and Notes—Three hours a week First Semester. *Mr. TePoel*

Formal requisites of bills of exchange and promissory notes; acceptance; indorsement; transfer; extinguishment; obligations of parties to bills and notes; diligence; nature of bill or note; negotiable paper other than bills, notes and checks; Negotiable Instruments Law.

Bunker's Cases on Bills and Notes.

Partnership—Two hours a week Second Semester. . . .*Mr. TePoel*

What constitutes a partnership; the creation of a partnership; the nature and characteristics of a partnership; the nature, extent and duration of partnership liability; the powers of partners; rights and duties of partners inter se; remedies of partners inter se; rights and remedies of creditors; termination of the partnership; limited partnerships.

Gilmore's Cases on Partnership.

Conflict of Laws—Two hours a week First Semester; one hour a week Second Semester.*Mr. Martin*

Jurisdiction; sources of law and comity; territorial jurisdiction; jurisdiction in rem and in personam; remedies; rights of action and procedure; creation of rights; personal rights; rights of property; inheritance; obligations ex delicto and ex contractu; recognition and enforcement of rights; personal relations; property; inheritance; administration of estate; judgements; obligations.

Beale's Cases on Conflict of Laws. (Shorter Selection.)

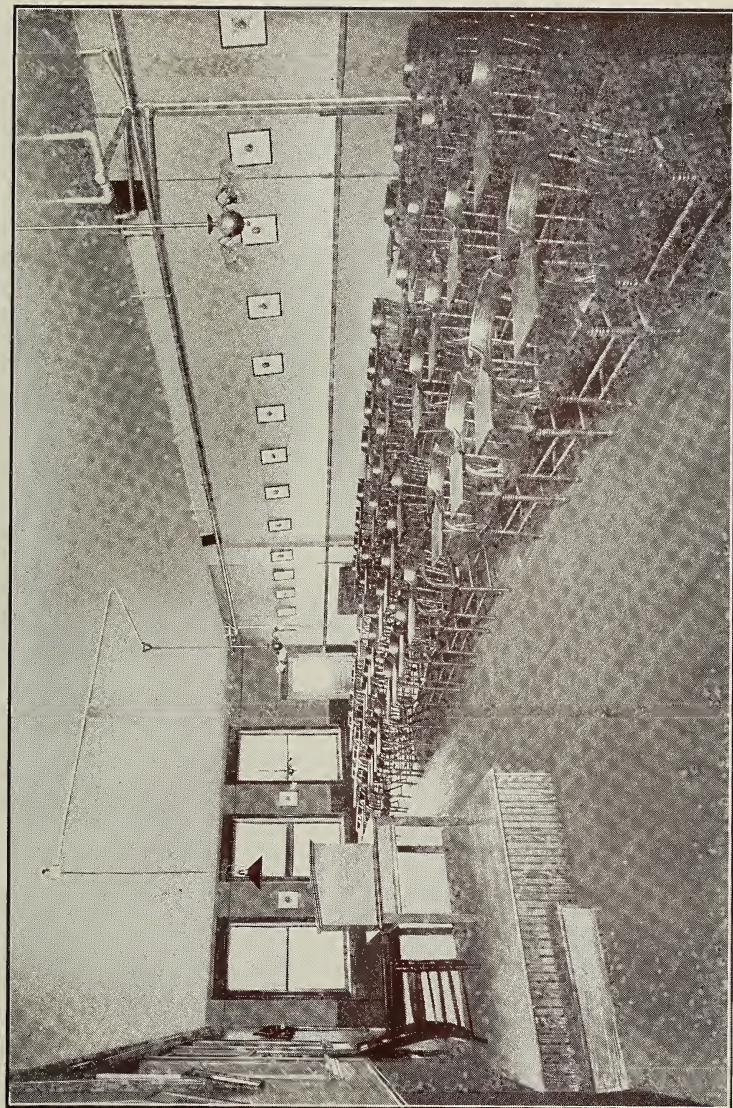
Suretyship—Two hours a week First Semester. .*Mr. Sidney Smith*

Nature of the contract of suretyship; surety's defenses against the creditor; surety's rights; creditor's rights to surety's securities.

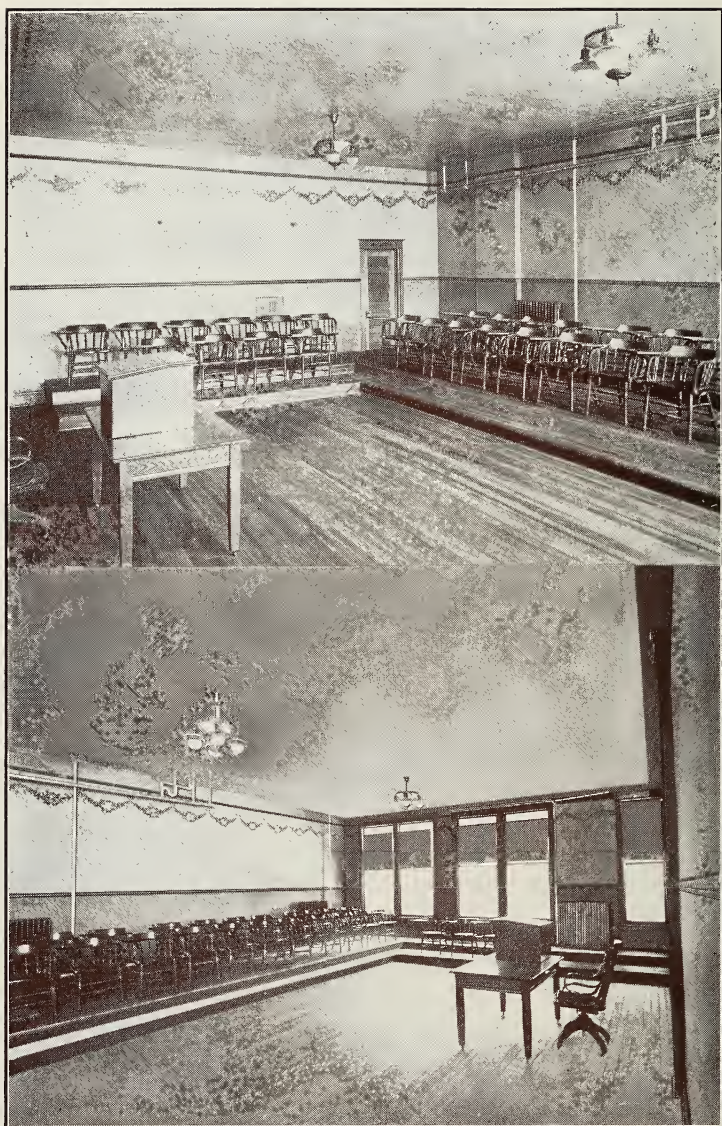
Ames' Cases on Suretyship.

Insurance—Two hours a week Second Semester.*Mr. Daniel*

Insurable interest in various kinds of policies, what it is and when it must exist; concealments; misrepresentations, warranties and other matters affecting the validity of the contract; amount of recovery; subrogation; waiver; estoppel; election and powers of agents; assignees and beneficiaries.



Freshman Lecture Room



Senior and Junior Lecture Rooms

Public Service Companies—One hour a week First Semester.....*Mr. Crawford*

Nature of public calling; extent of public profession; obligations of public duty; excuses for refusing service; provision of adequate facilities; regulation of service; determination of reasonable rates; prohibition of unjust discrimination.

Wyman's Cases on Public Service Companies, (2nd Ed.).

Bankruptcy—One hour a week.....*Mr. Moorhead*

Historical introduction; the various bankruptcy acts; respective jurisdiction of the United States and several states; who may be a bankrupt, aliens and non-residents, infants and married women, insane persons, corporations, wage-earners and farmers; who may be a petitioning creditor; fraudulent conveyances; preferences; general assignments; what property passes to the trustee; provable claims; duties and powers of the bankrupt and his trustee; protection, exemptions and discharge of bankrupt.

Williston's Cases on Bankruptcy.

Constitutional Law—Two hours a week.....*Mr. TePoel*

Nature of the Federal Constitution and its amendments; relation of the states to the federal government; departments of government; the legislative department; the powers of the executive; the judicial department; checks and balances in government; the government of the territories; the admission of new states; constitutional rules of state comity; the guaranty of republican government to the states; the amendments to the constitution; civil rights and their guaranties; political privileges; protection to persons accused of crime; protection to contracts and property.

McClain's Cases on Constitutional Law, (2nd Ed.).

(Omitted in 1911-1912.)

**The division of the work in the Night School is
as follows:**

First Year

Contracts
Property
Torts
Persons

Criminal Law
Legal Ethics
Quasi-Contracts

Second Year

Equity
Agency
Property
Wills and Administration

Taxation
Code Pleading
Common Law Pleading
Damages

Third Year

Sales
Evidence
Partnership
Trusts

Mortgages
Constitutional Law
Public Service Companies

Fourth Year

Bills and Notes
Insurance
Conflicts
Suretyship

Bankruptcy
Private Corporations
Municipal Corporations

Electives

The following courses, not counting toward a degree, are offered,
attendance at which is optional with both day and night students:

Legal Bibliography and Brief Making.

Conveyancing and Examination of Abstracts.

Judgments.

International Law.

Civil Law.

Public Officers and Extraordinary Legal Remedies.

Patents.

Federal Procedure.

Debating, Musical, Literary and Athletic Organizations

There are a number of these organizations in the University to which law students are welcome.

The University Debating Club, the Law School elocution and oratory classes and Model House, and the Moot Court afford an abundance of opportunity for the development of those qualities which are essential to the public speaker, and of incalculable advantage to the lawyer in the routine of his profession.

The University Band, Orchestra and Glee Club are open to law students who desire to develop their musical talents. The University Glee Club, recently reorganized, promises to add materially to the musical and social activities of college life. The club gives one or more formal and several informal concerts during the year. Trips in the neighboring territory are contemplated.

The Baseball, Football, Tennis and Track Teams are open to men of this department.

Admission

Persons over eighteen years of age, who are graduates of recognized Colleges and Universities, or accredited four-year High Schools, are eligible for admission to the Freshman Class without examination, as regular candidates for the LL. B. degree. No applicant will be received as a regular student unless he presents satisfactory certificate showing that he is entitled to thirty High School credits, one credit being given for work in a High School subject of five recitations a week, of not less than forty minutes each, during a period of at least eighteen weeks. Persons not thus qualified may, upon a proper showing as to preliminary training, enter as Special Students, not candidates for the LL. B. degree. In exceptional cases, special students may be permitted to remove their entrance conditions and register as regular candidates for the degree.

Advanced Standing

Students presenting proper credits from law schools belonging to the Association of American Law Schools may be admitted to advanced standing without examination. Persons from other schools may upon presenting certificates showing proper preliminary training and the completion of one year's study in such school register for the work of the second year as special students; the registration will be changed from special to regular upon the applicant's passing satisfactory examinations in all of the first year subjects.

Attendance

Attendance at ninety per cent of the work of the school is required and a daily record is kept. Students whose attendance falls below ninety per cent in any course will be conditioned; the condition may be removed only by attaining a satisfactory grade in the next regular examination after the condition is imposed.

Attendance is counted from the opening of the year and it is therefore important that both old and new students register promptly. Application blanks should be obtained and filled out before the beginning of the school year.

New students should present, with their applications, proper certificates of preliminary training.

The faculty reserves the right to sever any student's connection with the school whenever, in their judgment, such action is advisable. No tuition will be refunded on the departure of any student from the school, whatever the cause of his departure may be. However, students who leave because of illness will be credited with the unused portion of their tuition, which will be available on their return.

Examinations

A written examination is given in each course at the end of each semester; students attaining a satisfactory grade will not be required to pass any other examination in the same subject matter; students failing to attain satisfactory grades will be conditioned. No student will be permitted to graduate until he has removed all conditions, or to advance to the work of the second or third year if there are two or more conditions against him.

Thesis

Every candidate for a degree must, in addition to passing satisfactory examinations and attending at least ninety per cent of the lectures, prepare an original thesis upon some legal topic of his own selection, approved by the Faculty. The subject for the thesis must be submitted for approval not later than December 1, 1911. The thesis must contain at least three thousand words, exclusive of citations, must be the student's own, unaided production, and must be finally submitted for the award of the Faculty not later than March 1, 1912.

Degree

The degree of Bachelor of Laws (LL. B.) is conferred on students who have completed satisfactorily the full course of instruction in the Department of Law, and on those, who having been regularly admitted to advanced standing, have satisfactorily completed the work of the third year. In all cases, candidates must have passed satisfactory examinations in all subjects of instruction.

Seniors attaining a general average of ninety per cent or more will receive the degree LL. B. *cum laude*; those whose general average is ninety-five per cent or more will receive the degree LL. B. *magna cum laude*.

Tuition and Fees

| | |
|---|---------|
| Matriculation Fee (paid but once)..... | \$ 5.00 |
| Graduation Fee..... | 10.00 |
| Tuition (day school, first semester)..... | 45.00 |
| “ “ “ (second semester)..... | 30.00 |
| “ (night school, first semester)..... | 30.00 |
| “ “ “ (second semester)..... | 30.00 |
| Library Fee (per year)..... | 2.00 |

All money due from tuition, examination fees, books, etc., is payable in advance; students in arrears must cease to avail themselves of the privileges of the school until their accounts are settled; candidates for degrees must pay all bills due from them to the University ten days before Commencement.

Books

The *first* cost of the books needed for the course is approximately Fifty Dollars per year. Each student must provide himself with the necessary books at the beginning of the school year. At the close of the year, the school will buy back any books it sells, for one-half the selling price, provided the books are not marked up, superseded by later editions, or otherwise rendered unfit for use by other students. Students who prefer may rent books, the rental amounting to about \$12.00 per year.

Living Expenses

Board and lodging can be had for \$17.00 and upward per month, depending on the tastes of the individual.

Students have many opportunities to secure employment, by means of which they may defray a part of their expenses. Though the college authorities do not undertake to find employment for students, they will be glad to assist applicants to the best of their power. To this end a Bureau of Information has been established, which also keeps a list of desirable boarding and rooming places. No charge is made for the services of this Bureau.

Scholarships and Prizes

To the student of the First and Second Year day class and of the First, Second and Third Year night class who attains the highest general average for the work of his class, provided such average is over ninety per cent, and the student has attended at least ninety per cent of the lectures given to his class, a free scholarship good for one year's tuition will be given. The names of the successful students will be announced within the first ten days of the school year succeeding that in which the scholarships were merited.

In 1910-11 the Day Freshman Scholarship was awarded to Gerard A. Floersch, and the Night Freshman Scholarship to James T. McGuckin.

Through the kindness of Callaghan & Co., of Chicago, a book prize, consisting of a set of Andrew's American Law, is offered to that member of the Graduating Class who attains the highest general average for class work, Moot Court and final thesis, provided such average is over ninety per cent.

This prize was awarded April 30, 1910, to Eugene D. O'Sullivan of the class of 1910, who received his degree *cum laude*, as did also Arthur W. Proctor of the same class.

The debating prizes for the year 1910-11 were awarded as follows: John W. Delehant, '14, \$25.00; Francis P. Mathews, '14, \$25.00; Charles Flanery, '13, \$15.00; W. Walter Hoye, '12, \$15.00; William J. Donahue, '11, \$10.00; Patrick H. McNally, '11, \$10.00.

Admission to the Bar

The Nebraska legislature of 1907 passed a bill permitting law schools approved by the Supreme Court to present their graduates for admission on motion without examination, provided that no school should be accorded this privilege which was not a member of the Association of American Law Schools. The following copy of a decree of the Nebraska Supreme Court, under date of December 3, 1907, is self-explanatory:

Supreme Court of Nebraska, September Term

A. D. 1907

Dec. 3.

In the Matter of the Creighton College of Law.

Now on this 3d day of December, 1907, this matter having come on to be heard on the application of The Creighton University, and the showing filed in support thereof, the Court finds:

First—That Creighton College of Law is a department of The Creighton University.

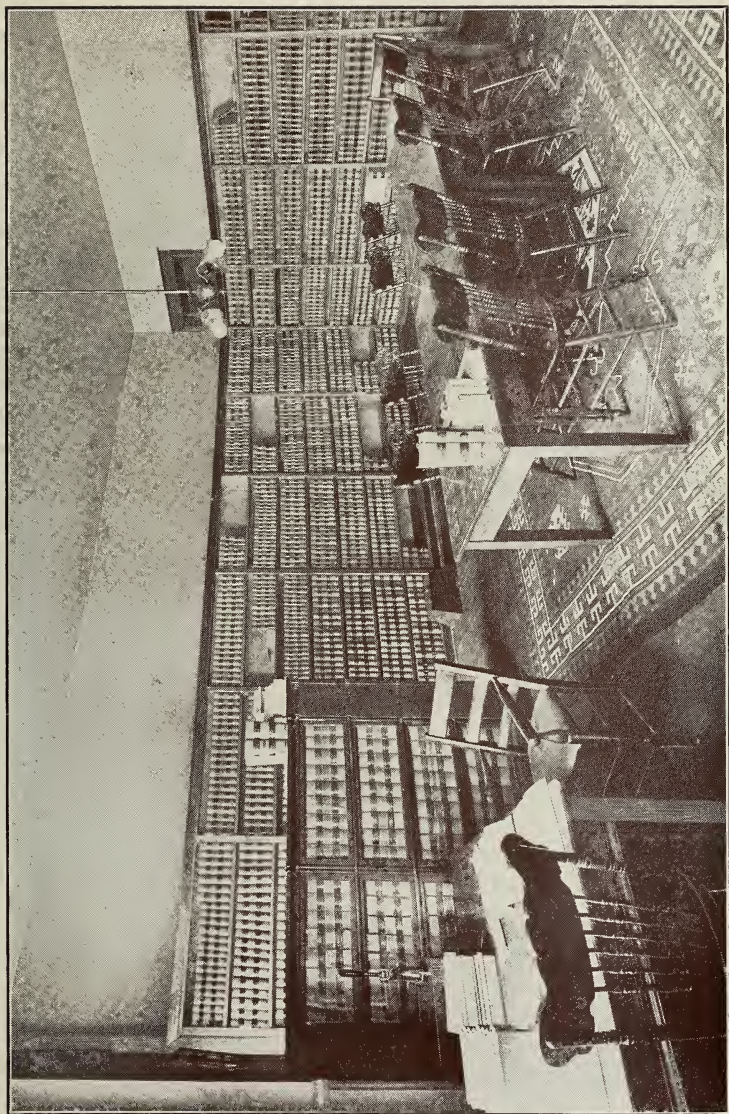
Second—That said Creighton College of Law is a college of law in this state, having entrance requirements and a course of study equal and equivalent to those of the law school of the University of Nebraska.

Third—That said Creighton College of Law is a member of the Association of American Law Schools.

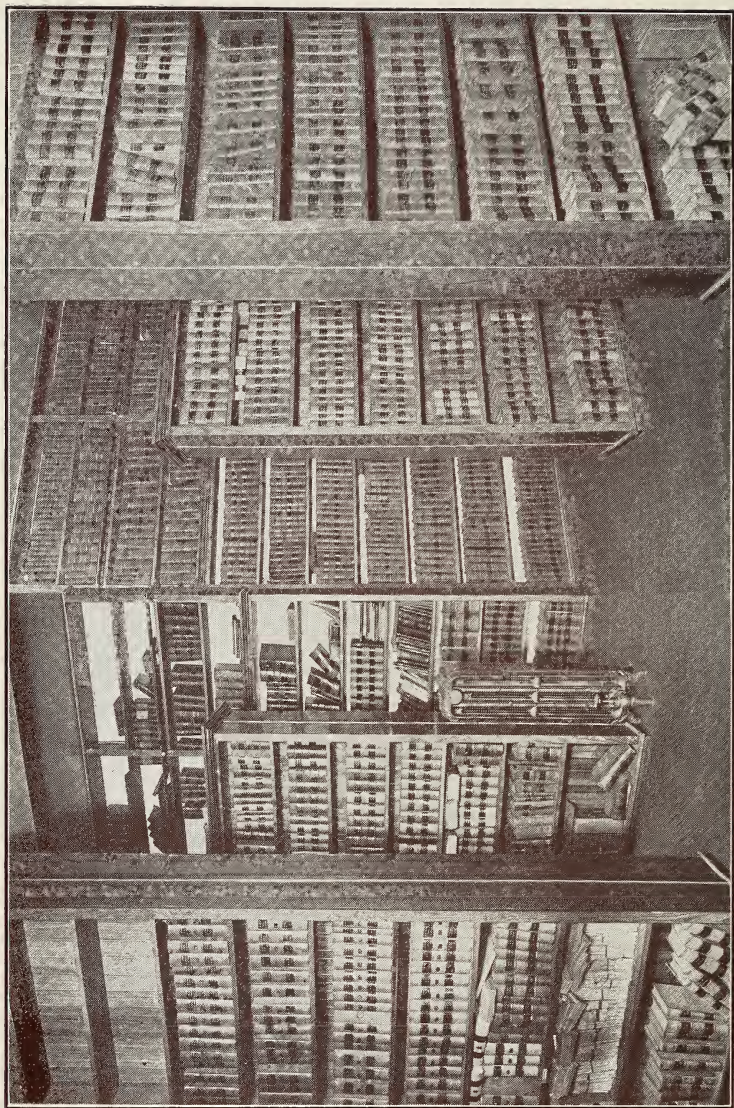
It is therefore considered and ordered by the Court that Creighton College of Law be, and the same hereby is, designated as a college of law whose graduates shall be admitted to the bar without examination.

(Signed)

S. H. SEDGWICK,
Chief Justice.



A Corner in the Library



Among the Book Stacks

Following is the list of students for the year 1911-1912

SENIORS, DAY—18.

| | |
|---|---------------------------|
| John N. Baldwin, Jr. | Council Bluffs, Iowa |
| Winfred A. Brockie. | Council Bluffs, Iowa |
| William J. Donahoe (A. B., Creighton) | Omaha |
| Florence W. Driscoll. | Wichita, Kansas |
| William R. Green. | Audubon, Iowa |
| William C. Heelan. | Alliance |
| Charles J. Jensen. | Omaha |
| Claude Klumb. | Stockham |
| Neil H. Mapes. | Schuyler |
| Clement B. McCartan. | Pocahontas, Iowa |
| Patrick H. McNally (A. B., Detroit) | Mackinac Island, Michigan |
| Hubert C. Robertson (A. B., University of Nebraska) | Omaha |
| Dale P. Stough. | Creston, Iowa |
| Charles J. Thielen (A. B., Creighton) | Panama, Iowa |
| Robert J. Webb. | Omaha |
| Carroll H. Wright. | Omaha |
| Frank C. E. Yates (A. B., Creighton) | Omaha |
| Julius J. Zitnik. | Omaha |

JUNIORS, DAY—19.

| | |
|--|--------------------------|
| Carl J. Aldrich. | Pender |
| Donald J. Burke. | Omaha |
| Raymond T. Coffey (Ph. B., Notre Dame) | Greenfield, Iowa |
| Edward E. Fearon. | Omaha |
| Albert D. Fetterman. | Omaha |
| Dana C. Gieselmann. | Geneva |
| Walter L. Griffith. | Omaha |
| W. Walter Hoyer. | Mitchell, South Dakota |
| Walter T. Loomis. | Omaha |
| Owen P. McCaffery. | Omaha |
| Grover C. McCarthy. | Rapid City, South Dakota |
| Frederick W. Messmore. | Omaha |
| J. Gerald McVeigh. | Odebolt, Iowa |
| Henry Monsky. | Omaha |
| Kilian G. Regner. | Howard, South Dakota |
| Arthur Rosenblum. | Omaha |
| Roland D. Shields. | Omaha |
| Ferdinand M. Ward. | O'Neill |
| Daniel P. Ward. | O'Neill |

FRESHMEN, DAY—33.

| | |
|--|----------------------------|
| Alexander F. Brungardt (A. B., St. Benedict's) | Victoria, Kansas |
| Joseph O. Burger | Omaha |
| William B. Clancy | Clinton, Iowa |
| James F. Connelly | Jersey City, New Jersey |
| Howard H. Craney (A. B., Creighton) | Independence, Iowa |
| Joseph E. Daly | O'Neill |
| Daniel H. Farrell (A. B., Creighton) | Omaha |
| Charles Flanery | Guthrie Center, Iowa |
| Chester D. Fletcher | Schuyler |
| William Grodzinsky | Omaha |
| Floyd C. Hendricks | Council Bluffs, Iowa |
| John H. Hopkins | O'Neill |
| William A. Horton | Omaha |
| Garth B. Hyatt | East Las Vegas, New Mexico |
| Vincent Kelly | Emmetsburg, Iowa |
| Francis R. Keegan (A. B., St. Thomas) | South Omaha |
| Horace Kincaid (A. B., Fremont) | Sulphur, South Dakota |
| Bernard J. McCafferty | O'Neill |
| William J. McNichols | O'Neill |
| Lloyd A. Magney | Omaha |
| John R. Madden | Waseca, Minnesota |
| Thomas F. Nolan | O'Neill |
| Thomas J. O'Keefe (B. S., Coe) | Cedar Rapids, Iowa |
| Robert B. Organ | Council Bluffs, Iowa |
| Guy N. Parmenter | Yutan |
| Gerard V. Rademacher (A. B., Creighton) | Crete |
| Winfield R. Ross | Blair |
| Richard B. Ruplinger | Orleans |
| Frank A. Safranek | Tobias |
| Walter H. Scott (A. B., Creighton) | Davenport, Iowa |
| Howard F. Smith | Council Bluffs, Iowa |
| John C. Sprecher | Schuyler |
| John J. Sullivan | Jerome, Arizona |

FRESHMEN, NIGHT—27.

| | |
|-------------------------------------|------------------|
| Thomas P. Curran | South Omaha |
| John W. Delehant (A. B., Creighton) | Blue Springs |
| Paul Ferguson | Shenandoah, Iowa |
| Kenneth K. Finlayson | Omaha |
| Jacob E. Heath | South Omaha |
| Christian J. Horn | South Omaha |
| Lawrence J. Hunt | Omaha |
| Anton J. Jackl | Omaha |

| | |
|--|----------------------|
| Jesse E. Jacobson..... | South Omaha |
| Franklin Johnson..... | Ludlow, Missouri |
| George A. Keyser (A. B., Creighton)..... | Omaha |
| Roy G. Kratz..... | Bloomfield |
| Joseph M. Lovely (A. B., Creighton)..... | Omaha |
| Carl R. Malm..... | Omaha |
| Floyd W. Marshall..... | Council Bluffs, Iowa |
| Herman F. Matschulatt..... | Venus |
| Frank P. Mathews (A. B., Creighton)..... | Albion |
| Frank J. Mazurkiewiez..... | Chicago, Illinois |
| Edmund H. McCarthy..... | Omaha |
| Samuel L. O'Brien..... | Grinnell, Iowa |
| Joseph A. Solomon..... | Council Bluffs, Iowa |
| Theodore V. Thomas..... | Seward |
| Joseph M. Tobin..... | Omaha |
| Herman Tombrink..... | South Omaha |
| Leo J. Tracy..... | Omaha |
| John W. Whelan..... | Omaha |
| Francis W. Whitney..... | Redmond, Oregon |

SOPHOMORES, NIGHT—7.

| | |
|---|----------------------|
| John C. Barrett..... | South Omaha |
| Frederick B. Cherniss..... | Council Bluffs, Iowa |
| Philip E. Horan (A. B., Creighton)..... | Omaha |
| James T. McGuckin..... | Council Bluffs, Iowa |
| Frederick J. Rossbach..... | Omaha |
| Charles F. Schrempp..... | Omaha |
| Noah W. Ware..... | Omaha |

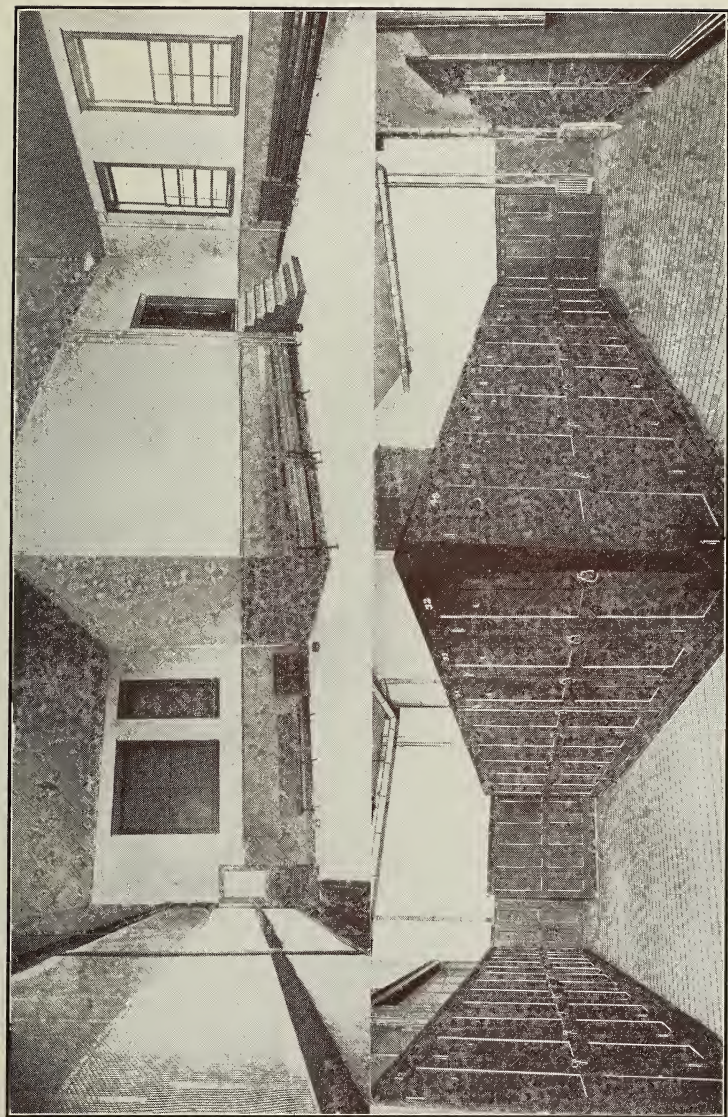
RECAPITULATION.

| | |
|------------------------|-----|
| Seniors, Day..... | 18 |
| Juniors, Day..... | 19 |
| Freshmen, Day..... | 33 |
| Sophomores, Night..... | 7 |
| Freshmen, Night..... | 27 |
| Total | 104 |

GRADUATES.

| | |
|---|------------------------------|
| James P. Boler | Greeley, 1907 |
| Hugh J. Boyle..... | O'Neill, 1910 |
| John J. Boyle..... | Omaha, 1910 |
| Charles L. Brome..... | Basin, Wyoming, 1908 |
| Clinton Brome..... | Omaha, 1908 |
| H. Martin Buddha..... | Omaha, 1909 |
| Charles S. Burke (A. B., Creighton).... | Aberdeen, South Dakota, 1908 |

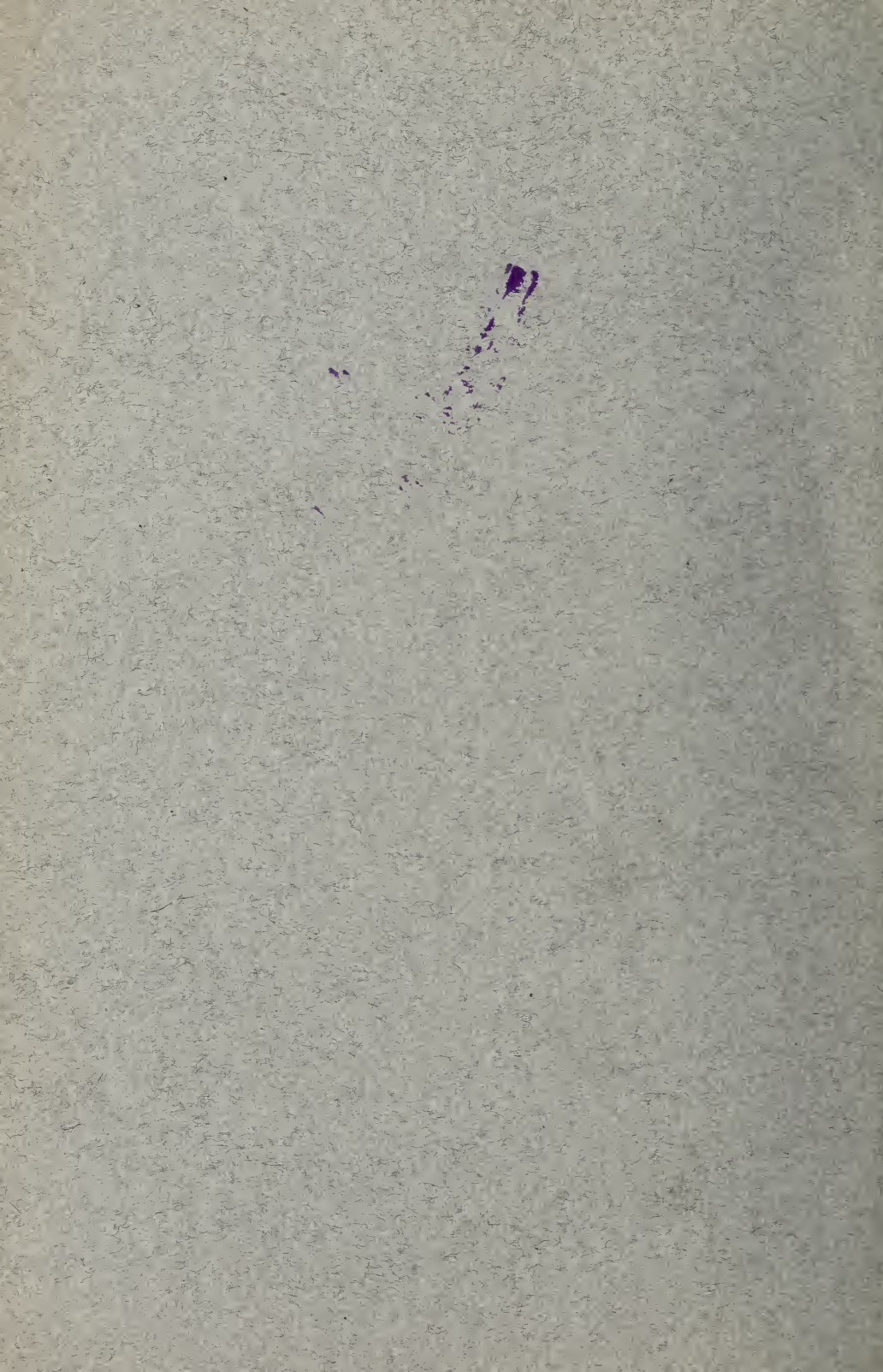
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|---|---------------------------------|
| Benjamin Cunningham..... | Wood River, 1910 |
| M. Joseph Donnelly..... | Cedar Rapids, Iowa, 1907 |
| William C. Fraser..... | Omaha, 1908 |
| Henry M. Gallagher..... | Waseca, Minnesota, 1910 |
| David L. Gogerty..... | Sheridan, Wyoming, 1908 |
| Joseph F. Green..... | Creighton, 1906 |
| Julius L. Greer..... | Omaha, 1910 |
| Ernest T. Grunden..... | Elwood, 1909 |
| Charles Haffke..... | Omaha, 1908 |
| James H. Hanley..... | Washington, D. C., 1910 |
| Hugh H. Harper..... | Northport, 1910 |
| Amos E. Henely (A. B., A. M., Creighton)..... | Omaha, 1909 |
| Edward D. Hogan (A. B., Creighton)..... | Cascade, Iowa, 1908 |
| William N. Jamieson (A. B., St. Mary's)..... | Papillion, 1910 |
| Frank Kelly..... | Merna, 1906 |
| James M. Lanigan (A. B., Creighton)..... | Greeley, 1910 |
| Edward F. Leary (A. B., Creighton)..... | Omaha, 1907 |
| William P. Lynch (A. B., Creighton)..... | Omaha, 1906 |
| George H. Merten (A. B., Creighton)..... | Omaha, 1907 |
| Harland L. Mossman..... | Sisseton, South Dakota, 1909 |
| Thomas B. Murray..... | Omaha, 1910 |
| C. Joseph McCaffery (A. B., Creighton)..... | Omaha, 1907 |
| Edward B. McDermott..... | Kearney, 1910 |
| Robert E. McNally (A. B., Creighton)..... | South Omaha, 1909 |
| Edward H. McMurphy..... | Hillsdale, Illinois, 1907 |
| John I. Negley..... | Omaha, 1906 |
| Richard J. Organ..... | Council Bluffs, Iowa, 1906 |
| Eugene D. O'Sullivan..... | Omaha, 1910 |
| Arthur W. Procter..... | Omaha, 1910 |
| William P. Rooney..... | Wayne, 1909 |
| Arthur E. Ryman..... | Denver, Colorado, 1910 |
| William A. Schall (A. B., Creighton)..... | Omaha, 1907 |
| Henry W. Shackleford..... | Omaha, 1910 |
| J. Walter Schopp (A. B., Creighton)..... | Omaha, 1910 |
| Louis J. Schneider..... | Council Bluffs, Iowa, 1908 |
| Arthur P. Schnell..... | Sturgis, South Dakota, 1906 |
| William H. Shaw..... | Klamath Falls, Idaho, 1910 |
| Louis J. Somers..... | New Haven, Connecticut, 1909 |
| John J. Spillane..... | New Richland, Minnesota, 1910 |
| William P. Sternberg (A. B., Creighton)..... | Humphrey, 1910 |
| Robert Stuart (A. B., A. M., Creighton).... | Pawhuska, Oklahoma, 1908 |
| Joseph R. Sullivan (A. B., Creighton)..... | Laramie, Wyoming, 1908 |
| Ralph A. Van Orsdel (A. B., University of Nebraska).... | Omaha, 1910 |
| Peter F. Ward..... | Hot Springs, South Dakota, 1910 |
| Ralph M. West (A. B., Iowa College)..... | Omaha, 1910 |
| Raymond G. Young..... | Omaha, 1908 |



Smoking, Recreation and Locker Rooms

UNIVERSITY OF ILLINOIS

PRESIDENT'S OFFICE



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Creighton Univ

Law

1911 13

... The ...
Creighton University
Bulletin

Vol. 4

APRIL

No. 2

ANNOUNCEMENT

of the

COLLEGE OF LAW

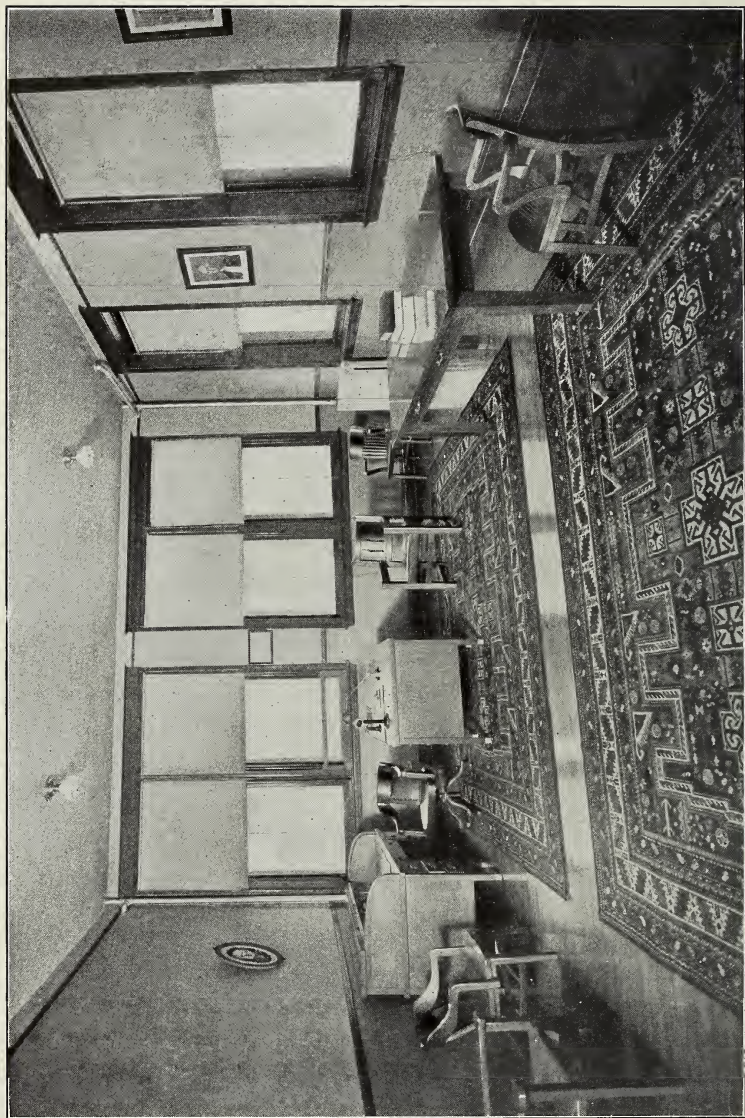
1912 - 1913



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1909, at the Post Office at Omaha, Nebraska, under the act of
July 16, 1894.



Creighton College of Law



Dean's Office

CALENDAR.

1912

September 2-4—Monday to Wednesday, Registration.

September 5—Thursday, Classes Commence.

November 28-30—Thursday to Saturday, inclusive, Thanksgiving Recess.

December 14-23—Saturday to Monday, inclusive, First Semester Examinations.

December 24—Tuesday, Christmas Recess begins 8 A. M.

1913

January 2—Thursday, Second Semester begins 8 A. M.

February 7—Friday, Founders' Day. Holiday.

February 22—Saturday, Washington's Birthday. Holiday.

March 21—Friday, Easter Recess begins 8 A. M.

March 24—Monday, Easter Recess ends 8 A. M.

April 14-25—Monday to Friday, inclusive, Second Semester Examinations.

April 26—Saturday, Commencement.

FACULTY

EUGENE A. MAGEVNEY, S. J.,

President of the University.

TIMOTHY J. MAHONEY,

(LL. B., University of Iowa, 1885; A. M., Creighton, 1907; County Attorney of Douglas County, 1889-1893; President of the Nebraska Bar Association, 1907).
Dean Emeritus, and Lecturer on International Law and the Law of Public Officers.

CONSTANTINE J. SMYTH,

(A. M., Creighton, 1907; Attorney General of Nebraska, 1897-1901).
Associate Dean Emeritus, and Lecturer on Practice.

WILLIAM P. WHELAN, S. J.,

Supervisor of the Professional Departments of the University, and Lecturer on Legal Ethics.

PAUL L. MARTIN,

(A. B., Creighton, 1900; A. M., 1905; LL. B., Harvard University, 1905).
Dean, and Professor of Contracts and Conflicts.

JOHN A. BENNEWITZ,

(A. B., Creighton, 1901; A. M., 1904; LL. B., Georgetown University, 1904).
Professor of Real and Personal Property, Wills and Administration, Code Pleading, Evidence and Director of the Model House.

HERBERT S. DANIEL,

(LL. B., University of Virginia, 1901; City Prosecutor of Omaha, 1906-1909).
Professor of Insurance, Agency and Public Service Corporations.

JAMES M. FITZGERALD,

(A. B., Creighton, 1903; LL. B., University of Michigan, 1906).

Professor of Criminal Law.

JAMES A. C. KENNEDY,

(LL. B., University of Nebraska, 1900; Deputy County Attorney of Douglas County, 1904-1906; Referee in Bankruptcy, 1906 to date).

Professor of Private Corporations.

EDWARD F. LEARY,

(A. B., Creighton, 1902; LL. B., 1907).

Professor of Persons and Torts.

HARLEY G. MOORHEAD,

(Ph. B., Oberlin College, 1899; LL. B., Columbia University, 1902).

Professor of Bankruptcy and Sales of Personal Property.

JOHN A. RINE,

(LL. B., University of Michigan, 1900; Referee in Bankruptcy, 1903-1906; Assistant City Attorney of Omaha, 1906-1910; 1911 to date, City Attorney of Omaha).

Professor of Municipal Corporations.

SIDNEY W. SMITH,

(LL. B., University of Wisconsin, 1900).

Professor of Suretyship and Mortgages.

LOUIS J. TE POEL,

(A. B., University of Nebraska, 1902; A. M., Columbia University, 1905; LL. B., 1905).

Professor of Equity, Trusts, Constitutional Law, Taxation, Bills and Notes and Common Law Pleading.

RAYMOND G. YOUNG,

(LL. B., Creighton, 1908).

Professor of Damages, Quasi Contracts and Sales of Personal Property.

DUNCAN M. VINSONHALER,

(LL. B., University of Michigan, 1891; Judge of the Douglas County Court, 1900-1906).

Judge of Division No. 1, Post Court.

EDWARD W. SIMERAL,

(County Attorney of Douglas County, 1887-1889).

Judge of Division No. 2, Moot Court.

LECTURERS

HARRISON C. BROME,

Lecturer on Statutes and Statutory Construction.

FRANK CRAWFORD,

(A. B., Yale University, 1891; LL. B., University of Michigan, 1893).

Lecturer on Practice.

WILLARD EDDY,

(A. B., Yale University, 1870; A. M., 1873; LL. B., University of Albany, 1871).

Lecturer on Patents.

ALFRED G. ELLICK,

(LL. B., University of Michigan, 1900; Special Assistant City Attorney of Omaha, 1904-1905; Deputy County Attorney of Douglas County, 1907 to date).

Lecturer on Practice.

JAMES P. ENGLISH,

(County Attorney of Douglas County, 1903-1904; 1907-1912).

Lecturer on Criminal Procedure.

LEE S. ESTELLE,

(Judge of the Douglas County District Court).

Lecturer on Practice.

FRANK H. GAINES,

(B. S., Knox College, 1884).

Lecturer on Titles and Conveyancing.

HENRY P. LEAVITT,

(A. B., University of Nebraska, 1896; LL. B., Omaha School of Law, 1898; A. M., Creighton, 1907; Member of Nebraska Bar Examining Commission, 1907-1908).

Lecturer on Practice.

WILLIAM H. MUNGER,

(Judge of the United States District Court.

Lecturer on Federal Procedure.

DANIEL J. RILEY,

(A. B., St. Mary's College, 1896; LL. B., University of Nebraska, 1900).

Lecturer on Banks and Banking.

EDWARD P. SMITH,

(LL. B., University of Iowa, 1885).

Lecturer on Practice.

JOHN F. STOUT,

Lecturer on Judgments.

ARTHUR C. WAKELEY,

(B. Lit., Cornell University, 1878).

Lecturer on the Civil Law.

FRANK H. WOODLAND,

(A. B., University of Nebraska, 1900).

Lecturer on Practice.

JOSEPH W. WOODROUGH,

Lecturer on Practice.

M. A. BYRNE,

Secretary to the Dean.

JOHN W. DELEHANT,

(A. B., Creighton, 1910; A. M., 1911).

Librarian.

Historical Sketch.

The Creighton University, founded in 1878, owes its origin and growth to Edward and John A. Creighton and their wives, whose combined benefactions amount to several millions of dollars. Its enrollment is nearly one thousand men, divided among the High School, Under-graduate, Post-graduate, Medical, Law, Dental and Pharmacy Colleges. The High School, Under-graduate, Post-graduate, Medical and Pharmacy Colleges are housed in separate buildings erected for their sole use, and the Law and Dental Colleges occupy the same building jointly. No expense has been spared to provide the various buildings with the special equipment necessary to attain the highest efficiency.

Thanks to the munificence of its founders, the University offers a free eight-year High School and College Course, and the charges in its professional departments are moderate. The prevailing spirit of the University is one of helpfulness, and in the thirty-four years of its existence it has contributed in no small degree to the upbuilding of the West, through its nearly two thousand alumni who are now scattered all over the country. Its ideals have been high, and toward their realization it has made measurable progress.

The Creighton College of Law, one of the four professional Colleges of The Creighton University, was opened in October, 1904, in temporary quarters provided by the College of Medicine; in the fall of 1905 the department moved to its new building, the Edward Creighton Institute, a splendid four-story brick and stone structure sixty-six feet wide and one hundred and twenty-six feet long, especially constructed for the joint use of the Law and Dental Colleges of the University, at 210 South Eighteenth Street, opposite the Omaha City Hall, within a half block of the new million-dollar Douglas County Court House, and within from one to three blocks of the principal office buildings of the city.

The new home of the department is provided with every modern convenience, electric elevator, gas and electric lights, hot and cold water and toilet rooms on every floor, locker rooms, students' lobby, smoking and lounging room, commodious lecture halls, reading rooms, offices for the faculty, assembly halls suitable for social gatherings, public functions, meetings of class organizations, etc. The lecture halls, of which there are five, are exceptionally well lighted and

ventilated, and every effort has been made to surround the students with conditions the most favorable for study.

Location

For persons intending to practice law in the West, there is no doubt of the superior advantages offered by a practical Western law school as contrasted with the opportunities afforded by an Eastern school whose teachers are unfamiliar with the West, whose large enrollment prevents preparation for practice in any particular locality, and—what is of infinitely more moment, prevents that close personal contact which is possible only in institutions of smaller enrollment.

Apart from the prestige of years, Eastern schools have little to offer which cannot be duplicated in Western institutions, and in point of preparation for actual practice, are at a serious disadvantage. It is self-evident that a school depending for its support upon the whole country cannot specialize in the practice of each jurisdiction, and students from distant states must postpone their practical training until they have actually entered the professional ranks—obviously a serious disadvantage in the fierce competition of the bar. Moreover, a school with large classes cannot hope to give its students the same personal attention they may receive in the smaller classes of more highly specialized institutions.

The Creighton College of Law aims to ground its students thoroughly in the principles of the whole law, and in addition to fit them specially for practice in the Code states. This it does to advantage, in comparison with the larger eastern schools, because of its smaller classes, rendering personal contact possible, and because of its narrowed scope, making possible practical training for the conduct of law business in this section of the country; and in comparison with schools nearer home, because of its location in the metropolis of the state, under the very shadow of Federal, State and Municipal Courts, and with the active support of the unsurpassed bar of Douglas County,—a bar which has furnished two presidents to the American Bar Association.

The school is located a half block from the Douglas County Court House, where seven divisions of the District Court and the County Court are constantly in session, four blocks from the Federal Building where the United States District Court holds its sessions, eight

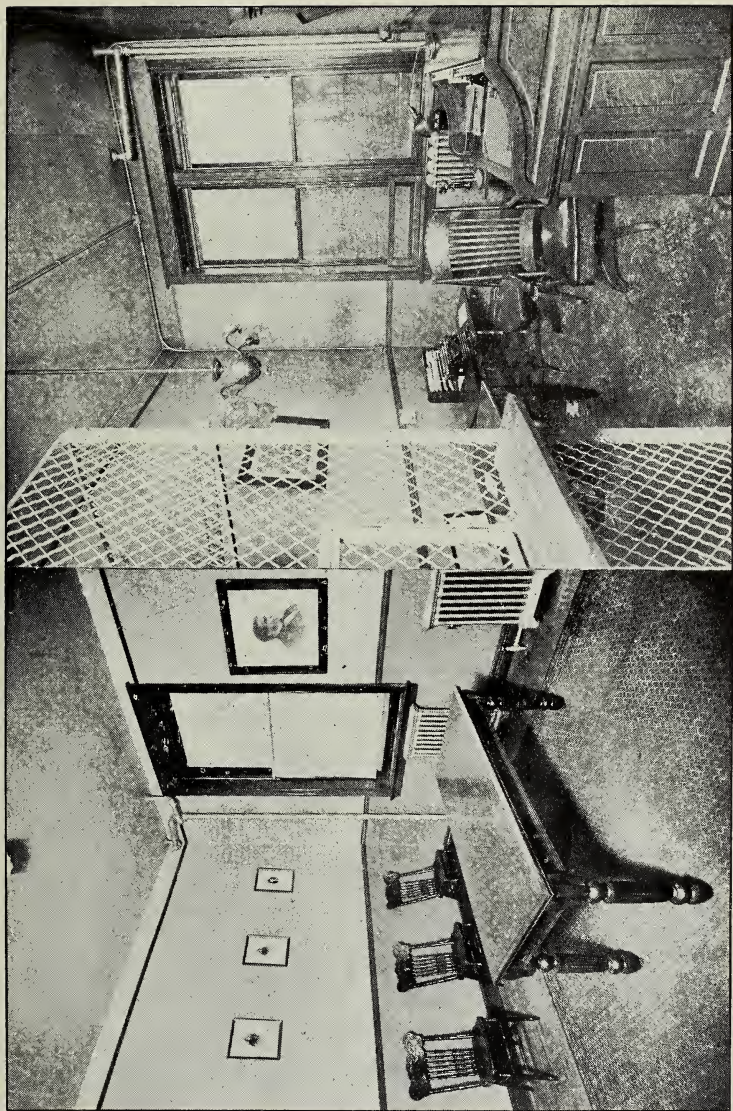
blocks from the Municipal Court, and within from two to four blocks of the various Justice of the Peace Courts. The students thus have every opportunity to observe the practical workings of the law as exhibited in the trial of cases, the probate of estates, etc., and for those who find leisure, the many law offices of the city, most of them within two blocks of the school, afford still further opportunities for gaining a practical knowledge of the conduct of a law office. These latter are advantages peculiar to large cities, and the school can therefore offer practical helps to be had nowhere else in this vicinity.

For those students who find it necessary, or deem it advisable, to earn part or all of their expenses while studying, it is needless to say that a large city offers advantages which are out of the question in smaller places; and for all students, whatever their inclinations, a metropolitan city offers advantages in the way of churches, benevolent institutions, educational opportunities, amusements, etc., which come only with the growth of population. With the increasing complexity of human affairs the law has become a many-sided profession, attaining its highest development only in the large cities, whose metropolitan atmosphere, imperceptible and elusive as the air one breathes, is not less essential to the fullest mental growth and professional development than is the air to the fullest physical growth and bodily development.

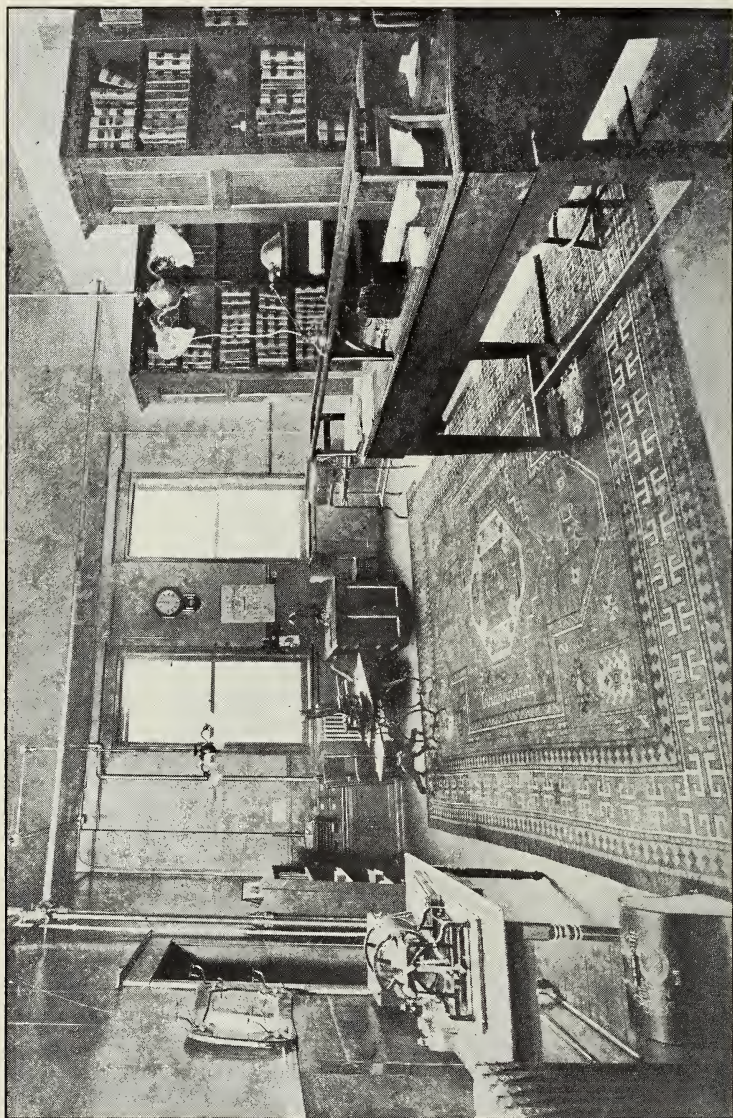
Faculty

The teaching staff is recruited entirely from the ranks of practicing lawyers who have prepared for their profession by taking a thorough course in a high-grade law school. This gives the institution a distinctly practical atmosphere, which is apt to be lacking in a strictly theoretical school whose teachers have either never been practitioners, or have retired from the practice, and are therefore apt to become too academic, delighting in the study of law for its own sake, as if it were a mere theoretical science, rather than a practical means of gaining a livelihood. The teachers bring to their work the zeal of men who, from daily contact with the practical side of the profession, realize the need of thorough training and are therefore on the alert to correct and supplement the ideas gleaned by the student in his study of the theoretical side of the law.

The school is not hampered by any policy which, for the mere



Reception Room and Office of Dean's Secretary



Librarian's Office

sake of consistency, must be persevered in; on the contrary, it is free to adapt itself to the growing needs of its students, and this it has done and proposes to do with the single object in view—the upbuilding of an institution which will give its students a high ideal of the law as a profession, and an equipment which will be of service in attaining and maintaining that ideal. The policy has been, not to send out graduates whose memories were stuffed with legal rules, but rather men of well disciplined minds and staunch character, who will be of service to their fellows and an honor to their college.

Method of Instruction

There is probably no phase of American Law School development about which there has been more discussion than the method of instruction. In the main there are three well recognized systems: (1) The Lecture System; (2) The Text-Book System; (3) The Case System.

The Lecture System contemplates the delivery by the professor of set lectures, and is now largely discredited.

The Text-Book System contemplates the study by the students of a portion of a text which is then discussed in the class-room under the direction of the teacher.

The Case System, or Laboratory Method, is a radical departure from both these systems, and was designed to throw the student, as soon as possible, into the actual work of the practice. Both the Lecture and Text-Book systems are apt to degenerate into mere memory work, while the Case System, though involving very much more labor for both instructor and student, is better suited to develop the analytic faculties of the mind, at the same time that the memory is being stored with legal principles. It is the nearest possible approach to the work of the practicing lawyer who examines adjudicated cases in search of the principle of law applicable to the case in hand.

It is sometimes erroneously supposed that under this Case System, the students are engaged in memorizing a certain number of typical cases, and that therefore they will be able, as practitioners, to handle only such cases as happen to coincide with the ones studied at school. On the contrary, the diligent Case System student will have acquired such a mastery of the art of analysis, and such a fund of legal knowledge, that no matter how novel or complicated the case may be which is presented

to him for solution as a practitioner, he should be able to conduct an investigation both as to the facts and legal principles involved which will enable him to reach a proper conclusion.

Each of these systems has its advocates, though there are comparatively few law schools which confine themselves to any one of these methods.

Believing that each has its advantages, the Creighton College of Law has tried to give its students the benefit of all three. The bulk of the instruction is given under the Case System, each student being required to examine selected cases in search of the principles on which they were decided, and eventually collating the results in a summary which gives him an exact statement of the existing law. Copious references and citations are given to leading text-books on the matter thus covered, and in a few courses, though selected cases are made the basis of instruction, a companion text, specially prepared for use with the cases, is also studied. Courses regarded as of relatively less importance, because more highly specialized, are given in the form of lectures. These courses, however, are, with one exception, electives. In all the courses the fullest discussion on the part of the students is encouraged, thus enabling each man to clear up the doubts which arise as the work proceeds. None of the classes being unwieldly in numbers, every student is frequently quizzed by the instructor, and every possible opportunity is afforded for that free interchange of ideas which is the first essential of real education.

The results obtained during the past eight years through the combination of these three methods of instruction have been eminently satisfactory. The combined system avoids the danger of lack of mental discipline which confronts schools confining themselves to the Lecture or Text-Book Systems, and the danger of leaving important branches of the law untouched, which confronts schools confining themselves to the Case System. This latter system is necessarily so slow that where it is followed exclusively, the average student graduates without having learned even the most rudimentary principles of various important divisions of the law, owing to lack of time in which to do the work.

Under this combination system the average student will learn all he would in a Case System school of the proper method of study, and in addition, will become familiar with branches of the law of which, for

lack of time, he must be ignorant on graduation from a school where the strict Case System prevails. On the other hand, the average student will acquire a mental discipline which he could scarcely get in a Lecture or Text-Book school, and in addition will cover as wide a field as if he studied in such an institution. In a word, his work will be better proportioned than if he studied exclusively under any one of these systems, for he will have both the depth of the Case System, and the breadth of the Lecture or Text-Book System.

Moot Courts

Law is a science, its practice an art. Law schools have confined their instruction very largely to the scientific phase, and have ignored the practical application of the scientific principles,—a matter of prime importance to the man who hopes to earn a living at the law, for no matter how complete one's knowledge of principles, unless he can apply them practically he will be helpless.

One difficulty in the way of teaching practice, particularly in so-called national law schools deriving their support from large areas of the country, is the difference which exists between the different states in the practical application of legal principles about which there may be no dispute. Each state has its own organization of courts, its own rules of procedure, its own customs and precedents with which the practitioner must acquaint himself if he would succeed. For instance, the essentials of a valid contract would ordinarily be the same the country over, but the machinery devised by the law for the enforcement of a right based on a broken contract would differ with the jurisdiction in which redress is sought. Hence, instruction in that vast body of the law known technically as "the adjective law" or the law which governs litigants before, during and after trial, is in many schools omitted, and graduates of such institutions must spend an apprenticeship of one or two years in a lawyer's office before they are ready to proceed intelligently on their own account. In other institutions, this practical work is covered, after a fashion, in set courses of lectures, or perhaps through the study of a case-book, but no provision is made for the actual application, under the guidance of a trained staff, of the knowledge thus imparted.

Believing that a properly organized, efficiently administered practice course may be made to fill the gap which has so long been felt by legal

educators, the Creighton College of Law has, for some years, conducted a system of Moot Courts the work of which is required from every candidate for a degree, class credits being assigned according to the regularity and quality of the work done. The court is divided into three branches, one having to do with the trial of causes at law, before a jury; one with the trial, before a judge, of the more technical forms of action on the law, equity and probate side; and the other with appellate procedure, this branch being presided over by the Seniors as Associate Justices, under the direction of a member of the faculty who presides as Chief Justice.

Statements of fact are prepared by the faculty illustrating the principal doctrines of the scientific instruction given in the regular classes, and these statements are made the bases of the cases which are conducted, as nearly as possible, like the proceedings of a regular court. Pleadings are prepared, summons served, preliminary motions, demurrers, etc., are argued, and, after the issues are made up, a jury is empanalled, witnesses sworn, examined and cross-examined, questions of law and fact are discussed, the jury (if there be one) is instructed, and its verdict is recorded in the docket of the Moot Court. All of the students participate in the work of the court, seniors and juniors acting as attorneys, and freshmen as parties, witnesses and jurors. All of the sessions of the court are supervised by a member of the faculty, Hon. Duncan M. Vinsonhaler presiding over the jury trials, and Hon. Edward W. Simeral over the equity, probate and appellate work. At the conclusion of each case, the presiding judge points out the mistakes made by counsel and emphasizes the important features of the trial. The court thus serves the double purpose of training the students in practice, and of affording them an opportunity to review the work of the regular classes.

The training of the Moot Court is further supplemented by lectures in the practice course given from time to time by members of the bench and bar on subjects of special importance to lawyers.

Public Speaking

The ability to express thought is to no one more valuable than to the lawyer. No matter how learned he may be, his learning will be worthless in the practice of his profession unless it be coupled with the ability to communicate it clearly and intelligently to another, be that

other a client, a judge or a jury. A lawyer need not be an orator, but to attain even mediocre success he must be a ready and convincing speaker.

In the Creighton College of Law, the art of public speaking is fostered in the course on that subject and in the Model House, which is offered as a substitute for the old-fashioned debating society, and is modeled, so far as the limitations will permit, upon the National House of Representatives, and incidentally, of course, embodies the essential features of the legislature of the state.

The House, which is presided over by a member of the faculty, is conducted in strict accordance with parliamentary rules. Committees are organized, bills of present day interest introduced, referred to committee, reported, discussed and disposed of; in fact the aim is to make the work as realistic and practical as possible.

Commencing on the second Wednesday of the school year, five lectures will be given on Parliamentary Law, the Principles of Public Speaking, and upon the Machinery of Legislation. On the sixth evening the students of the school will organize for the conduct of the Model House, which holds sessions until March 1st, taking a recess shortly before the first semester examinations until the first Wednesday in January. The upper classmen are assigned by lot to the Conservative and Progressive parties, which hold a caucus for the selection of floor leaders who choose the sides which their respective parties will espouse in the introduction of bills upon which debates are to be held during the session. These floor leaders assign the speakers who are to support or oppose the various bills drafted by the committees, made up of upper classmen, and after the formal debate is closed the questions are thrown open to the House and any member may speak either for or against the measures. When the discussion is ended the matter is put to a vote, the Freshmen holding the balance of power. A record of the proceedings is kept by the clerk, elected by the members of the house, and credit is assigned for participation in the work of the meetings.

This department has many advantages over the ordinary debating society. It affords more individual opportunity; the character of the work furnishes more incentive and inspiration for *ex tempore* speaking; it fits the students for their duties in public assemblies; it gives them, while studying the law, an insight into the manner of making laws, and

it develops a quickness of thought and a readiness of expression which cannot but prove invaluable.

The work of the Model House is of obligation for all students.

Each year there are held two intercollegiate debates which are open to members of the Model House. Two prizes of twenty-five dollars, two of fifteen and two of ten are offered to the successful contestants in these debates.

Libraries

Students have access to a law library containing nearly ten thousand volumes, embracing the reports of all the courts of last resort in the various states and territories of the union; the complete Reporter System; Lawyers' Reports Annotated, (both series); American and English Annotated Cases; American Decisions and American Reports, extra annotated edition; American State Reports; complete reports of all the federal courts, together with Rose's Notes on the decisions of the United States Supreme Court; the complete American Digest, including Century, Decennial and Annual editions; the Cyclopaedia of Pleading and Practice; American and English Encyclopaedia; Current Law; English Reprint, containing all of the English Cases down to 1865; English Law Reports, bringing the British cases down to date; Mews Digest of English Laws; Halsbury's Laws of England; English Ruling Cases; British Ruling Cases; a very comprehensive collection of standard text-books and legal periodicals, and a large number of other books and pamphlets such as are generally found in first-class law libraries.

In addition to this law library, the students may enjoy the use of the University library which contains 20,000 volumes, and of the Omaha Public Library (two blocks distant from the school) containing 91,000 volumes.

Night Classes

Since September 1st, 1909, the Department has offered instruction in a four-year Night Course, in addition to its regular three-year Day Course. The professors, books, method of instruction, entrance, attendance and graduation requirements are the same in both courses, except for the additional year in the Night Course.

According to a recent report made to the American Bar Association by its Committee on Legal Education and Admissions to the Bar, there are thirty law schools in the United States having night courses only, and ten other schools with both day and night classes, the night students numbering more than three thousand, or approximately one-fifth of the total number of law school students. Of these forty schools, six require four years' study from night students.

On this point the report of the committee says:

"In any system of education the night school has its place, and that a not unimportant one. That which it is desired to emphasize is that in view of the class of students the night school attracts and is intended to accommodate, a night school can not in a period of three years cover in a satisfactory manner and with the thoroughness that is to be desired the same ground which in a like period is covered by the day school. * * * For reasons above suggested the policy of certain of the night schools in lengthening their course to four years is wise and deserves commendation. In the action which they have taken, those schools should have, in the opinion of the committee, the support of the American Bar Association."

In establishing a four-year Night Course Creighton is therefore in accord with the recommendation of the American Bar Association.

There is considerable difference of opinion among those in charge of both day and night law schools as to the proper amount of work per week which should be required from the students, but in providing ten hours of instruction per week for its night classes Creighton is keeping pace with the trend of thought among legal educators. The report just referred to says:

"Although some of the night schools prescribe only five or six hours of class-room work a week, the majority of such schools prescribe nine and ten hours."

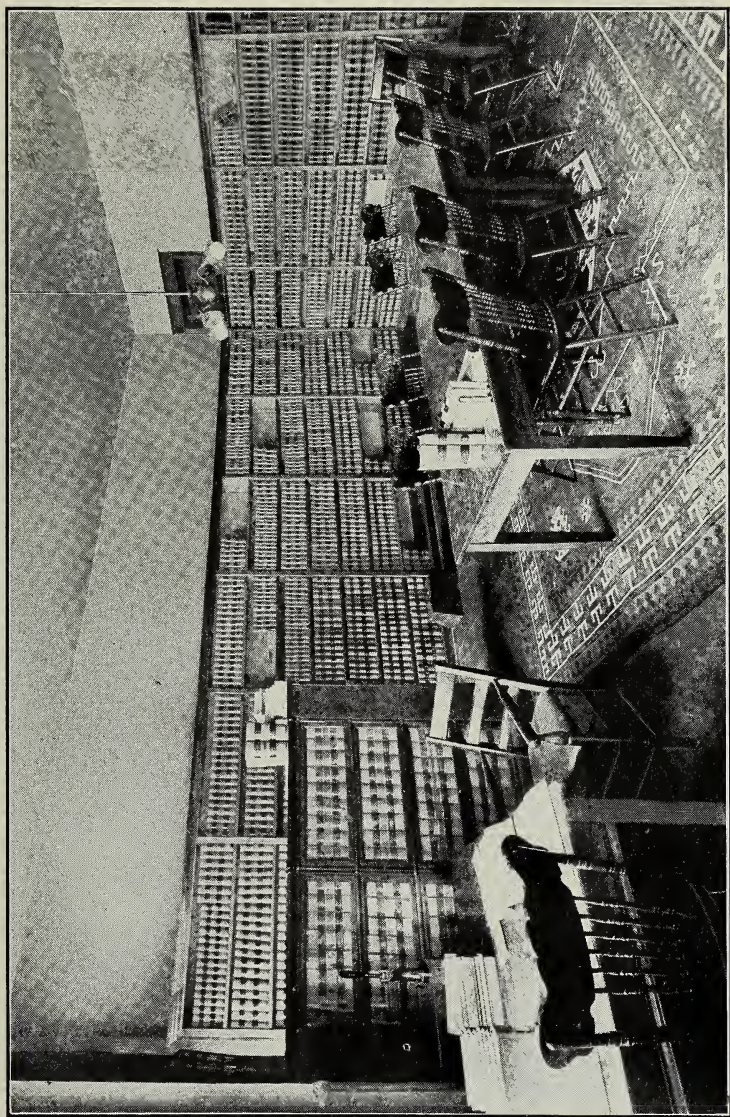
In conducting its night classes Creighton has no desire to cheapen legal education, or provide an easy means of gaining admission to the bar. The step has been taken for the same reasons which have induced other institutions of higher education to provide opportunities of study

for those whose circumstances make attendance at day classes impossible. The following extract from the report already quoted is interesting in this connection:

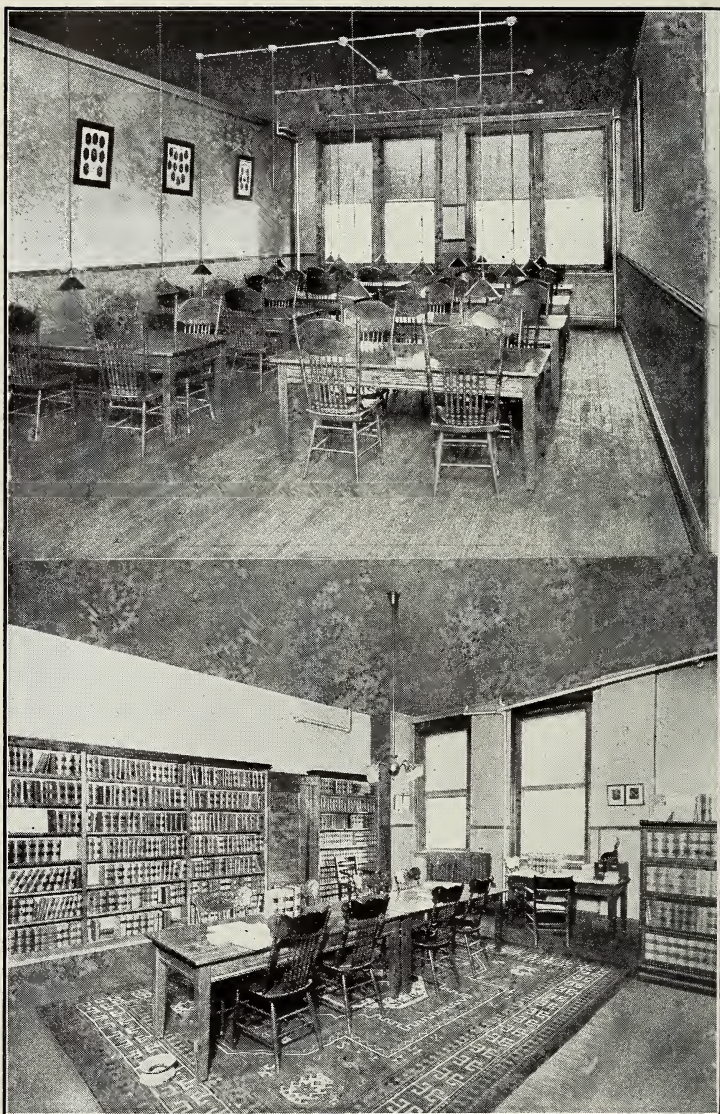
“Law schools in which instruction is given in the evening have been established in different parts of the United States in recent years. These schools are all established in the cities, and the most of them are under private control and not connected in any way with universities.

The reasons which have led to the organization of the night schools are in part the same as those which have led the public authorities in so many of our cities to open night schools for instruction in the common school branches of knowledge. In every large community there are individuals who are obliged during the day to engage in some lucrative employment and who for financial reasons find it impossible to attend a day school, but are glad of an opportunity at night to study law in an evening law school. Then there are judges and lawyers who find it possible to instruct in night schools, but would find it not practicable to engage in similar work during the day. Some of the justices of the Supreme Court of the United States have been regular professors in some of the night schools in Washington. And in night schools in New York, Chicago, and in some of the other cities, judges and lawyers of prominence have engaged in the work of instruction.

In so far as the night schools afford an opportunity to persons who have the requisite qualifications, but who for financial reasons cannot attend the day schools, they render a distinct public service. In a country which has a republican form of government and in which the people rule and many aspire to public office and some attain it, it is certainly desirable that citizens should acquire a knowledge of the laws and of how they are administered. Many of the students in the night schools, fully one-third of them it is said, do not expect to make law a profession. They study law for business reasons. That the knowledge of the law which these persons thus acquire is a distinct advantage to them no one will be disposed to question. That there may be a legitimate demand for night schools in the large cities may be taken for granted. The



A Corner in the Library



View in Students' Reading Room and Library

manner in which these schools are conducted does not justify indiscriminate criticism. There are good night schools and bad night schools, as there are both good and bad day schools. A school is not to be condemned necessarily because it is a night school nor commended simply because it is a day school."

Apart from the opportunities afforded by the night classes for giving instruction in the law to those whose other employment prevents day study, it is believed that the night course will appeal very strongly to those persons who for one reason or another have been unable to secure as much preliminary training as they desire, but who do not wish to postpone their professional course while attending undergraduate classes to supplement their preparation for the law. Students of the night school will be allowed to elect a certain number of hours' work in the undergraduate department of the University without extra expense, except the cost of text-books, and will be permitted to register for as many hours in the night school as they can satisfactorily carry. It will therefore be possible for persons of maturity, good natural ability and marked industry to obtain both the A. B. degree and the LL. B. degree in less than the seven years usually required.

It is not necessary for students to take the whole of either the day or night course—they may elect such subjects as will specially assist them in their particular kind of business, and the tuition will be apportioned according to the work taken.

Course of Instruction

The day course embraces three years of thirty-four weeks each; the night course four years of thirty-four weeks each. The day lectures are given from Monday to Friday inclusive, beginning at eight o'clock in the morning and ending at ten, eleven or twelve o'clock according to the schedule for the particular day; the night lectures are given from Monday to Friday inclusive, beginning at six thirty o'clock in the evening, and ending at eight, or eight thirty o'clock, according to the schedule for the particular evening.

The sessions of Division No. I of the Moot Court are held at eight o'clock on Friday evening from October to March, and attendance is required on the part of all students; the sessions of Division No. II

are held at nine o'clock on Saturday morning from October to March, and attendance is required on the part of second and third year men.

The division of the day work is as follows:

First Year

CRIMINAL LAW—Two hours a week.....*Mr. Fitzgerald*

Sources of the criminal law; criminal procedure; the indictment; former conviction or acquittal; the criminal act; the criminal intent; the intent as affected by circumstances; intent in statutory offenses; justification; parties in crime; jurisdiction over offenses; crimes against the person; larceny; embezzlement; obtaining property under false pretenses; receiving stolen property; crimes against the dwelling house; criminal conspiracy; nuisance; contempt and disbarment; territorial jurisdiction; extradition.

Beale's Cases on Criminal Law, (2nd ed.), and the Nebraska Criminal Code.

TORTS—Two hours a week First Semester; one hour a week
Second Semester*Mr. Leary*

Tort distinguished from contract, crime, moral duty; deceit; unfair competition; negligence; slander of title; malicious prosecution; abuse of process; false imprisonment; assault and battery; seduction and enticement; procuring breach of contract; procuring refusal of contract; slander and libel; trespass; conversion; violation of right of support; violation of water rights; nuisance; damage by animals; escape of dangerous things; common aspects of specific torts.

Simpson's Cases on Torts; Supplemented by Bigelow's "The Law of Torts," 8th Ed.

CONTRACTS—Two hours a week.....*Mr. Martin*

Formation of simple contracts, including mutual assent, offer, duration and termination of offers, acceptance, consideration; formation of contracts under seal, including formalities, delivery and consideration; parties affected by contracts, including contracts for the benefit of third

persons, assignment of contracts, joint obligations; the Statute of Frauds, including contracts within the Statute, and satisfaction of the Statute; performance of contract, including conditions precedent and subsequent, implied conditions and effect of plaintiff's failure to perform his promise, impossibility; illegal contracts, including contracts in restraint of trade, wagers and gaming contracts, contracts obstructing the administration of justice, contracts tending to corruption, effect of illegality; discharge of contract by parol agreement, novation, release, accord and satisfaction, arbitration and award, surrender and cancellation, alteration, merger.

Williston's Cases on Contracts. Vols. I and II.

PROPERTY—Two hours a week. *Mr. Bennewitz*

Distinction between real and personal property; nature and acquisition of rights in personal property, including suits for the recovery of personal property, acquisition of rights not under former owner, e. g., wreck, waifs, estrays and deodands, judgments, sales in market overt, Statute of Limitations, accession, confusion; transfer of rights in personal property; bailments, finding; tenure of land under the feudal system; estates, including fee simple, fee tail, estate for life, joint ownership, reversions and remainders, etc., seisin and conveyance, including livery of seisin, grant and attornment, release and surrender, devise, disseisin and other ouster; copyholds; uses and trusts; nature and incidents of ownership in real property, including gold and silver mines; wild animals, title deeds, fixtures, emblements, manure, waste, border trees; rights in another's land, including profits, natural rights, e. g., air, earth, water; easements, covenants running with the land, public rights, franchises, rents.

Gray's Cases on Property, Vols. I and II, (2nd Ed.); Supplemented by Tiffany on the Modern Law of Real Property.

LEGAL ETHICS—One hour a week First Semester. *Prof. Whelan*

Office of the advocate; the advocate and the courts; promotion of publicity; compensation; general practice; criminal practice; relations with client; relations with the bar; legislation; society; property; oath of attorney; contingent fees.

Lectures based on Warvelle's Legal Ethics; Sharswood's Ethics; The Canons of Ethics adopted by the American Bar Association, and Hoffman's Fifty Resolutions.

COMMON LAW PLEADING—Two hours a week Second Semester

.....*Mr. Te Poel*

Demurrers, both general and special; effect of demurrer in opening the record; pleas by way of confession and avoidance; pleas by way of traverse; duplicity; departure; new assignment; motions based on the pleadings; arrest of judgment; non obstante veredicto; replader.

Ames' Cases on Pleading (2nd Ed.).

QUASI CONTRACTS—One hour a week Second Semester. .*Mr. Young*

Sources, extent and nature of quasi-contract; obligation of quasi-contract; sources of the obligation; extent of the obligation; nature of the obligation—wherein quasi-contract differs from a pure contract, and from a tort; obligation where there is no contract, actually or in contemplation of the parties; where the plaintiff has suffered a tort; money paid by plaintiff under compulsion; where defendant has received a benefit at the plaintiff's hand; obligation where a contractual relation exists but one party has failed to receive an equivalent for his outlay; where the failure is due to mistake; where the failure is due to non-performance of the contract or a condition thereof by one party.

Keener on Quasi-Contracts.

PERSONS AND DOMESTIC RELATIONS—

Two hours a week First Semester.*Mr. Leary*

Marriage; contract of marriage; husband and wife; divorce and separation; parent and child; infancy; insanity; drunkenness; aliens; the custody, control and discipline of the child; obligation of parent to support child; parent's right to earnings and services of the child, and to an action for damage to parent's right in the child, emancipation; parent's liability for tort to child and vice versa—liability of parent for the tort of the child; period of infancy; interests, contracts and conveyances; infant's liability for torts; infant's responsibility for crimes;

marriage as the transfer of wife's property to the husband; husband's right to the earnings, services and society of his wife and to an action for damages to his right in the wife and vice versa—emancipation; the husband's interest in and power over his wife's claims on account of tortious damage to her; liability of the husband for the ante-nuptial torts and contracts and the post-nuptial torts of the wife; duty of husband to support wife; the authority of the wife to make contracts for the husband as his agent; contracts of married women; conveyances of married women; devises by married women; specific performance of wife's agreement to convey, and the reform of the wife's deed; estoppel of married women; liability of married women for tortious damage caused by them; responsibility of married women for criminal acts; suits between husband and wife; marriage as the extinction of ante-nuptial liabilities of the parties to each other; contracts and conveyances between husband and wife; civil and criminal responsibility of the one spouse for tortious damage to the person or property of the other—husband's right to the custody of his wife and vice versa; estates by entireties.

Kale's Cases on Persons and Domestic Relations.

PARLIAMENTARY LAW, LEGISLATION AND PUBLIC SPEAKING—

One hour a week*Mr. Bennewitz*

PRACTICE COURT—One hour a week.*Judges Vinsonhaler and Simeral*

Freshmen serve as jurors at the sessions of the Friday evening court and must make a written report upon each case tried.

Second Year.

EVIDENCE—Two hours a week.....*Mr. Bennewitz*

The general character and history of the American law of evidence; judicial notice; presumptions; burden of proof; admissions; law and fact; court and jury; leading principles and rules of exclusion; qualifications and exceptions to the rule against hearsay; real evidence—things presented to the senses of the judge and jury; writings, witnesses, their competency and examination.

Thayer's Cases on Evidence, (2nd Ed.).

EQUITY JURISDICTION, PLEADING AND PRACTICE—

Two hours a week*Mr. Te Poel*

Nature of equity jurisdiction; specific performance of contracts; extent of jurisdiction as regards subject matter of contracts, both affirmative and negative; relief for and against third persons; legal consequences of the right of specific performance; partial performance with compensation; consideration; marketable title; the Statute of Frauds, part performance; plaintiff's default or laches as a bar to relief; fraud, misrepresentation and concealment; mistake; hardship or unfairness; mutuality of equitable relief; bills for an account; specific reparation and prevention of torts; waste; trespass; disturbance of easements; nuisance; infringement of rights of monopoly, including patent rights, copy-rights, etc.; bills of interpleader; bills of peace; bills quia timet; bills to perpetuate testimony; bills to secure rights of future enjoyment; reformation and rescission for mistake; mutual mistake; unilateral mistake of fact; mistake of law; the Statute of Frauds; defective execution of powers and want of surrender of copyholds; negligence in not discovering and laches in seeking to correct a mistake; persons capable of suing and being sued in Equity; parties; form and requisites of bill; proceedings on behalf of plaintiff and defendant; decrees; amendments, etc.

Ames' Cases in Equity Jurisdiction, Vols. I and II; lectures, selected cases and practical exercises on Equity Pleading and Practice.

SALES—Two hours a week First Semester; one hour a week

Second Semester.....*Mr. Moorhead and Mr. Young*

The nature and formalities of the contract; bargain and sale; contract to sell existing or specific goods, unascertained or future goods; reservation of *jus disponendi*; the risk of loss; acceptance and receipt; at common law and under the Statute of Frauds; seller's duties, buyer's rights; buyer's duties, seller's rights.

Burdick's Cases on Sales, (2nd Ed.); Supplemented by Burdick's Text on Sales, (2nd Ed.).

CODE PLEADING—Two hours a week.....*Mr. Bennewitz*

Nature and form of actions; election between actions; parties; joinder of causes of action; petition; answer; reply; remedies for

defective pleadings; extraordinary legal remedies; statutory proceedings; probate procedure; jurisdiction and practice in Nebraska Courts.

Hinton's Cases on Code Pleading.

Nebraska Statutes, Civil Code and Selected Cases.

PROPERTY—Two hours a week First Semester*Mr. Bennewitz*

Acquisition of real estate inter vivos; original acquisition; lapse of time; the form of conveyances; description of property granted; estates created; creation of easements and profits; covenants for title; estoppel by deed; execution of deeds; dedication.

Gray's Cases on Property, Vol. III, (2nd Ed.).

WILLS AND ADMINISTRATION—Two hours a week Second Semester*Mr. Bennewitz*

Acquisition of property on death of former owner; escheat; descent; making, revocation and republication of wills; lapsed, void, and adeemed devises and legacies; grant of probate and administration; estate and powers of executor or administrator; payment of debts, legacies and distributive shares; gifts causa mortis.

Gray's Cases on Property, Vo. IV, (2nd Ed.).

DAMAGES—Two hours a week First Semester*Mr. Young*

Functions of court and jury in estimating damages; exemplary damages; liquidated damages; nominal damages; direct and consequential damages; avoidable consequences; counsel fees; certainty; compensation; damages for non-pecuniary injuries; value; interest; damages in certain actions of tort; damages in certain actions on contract.

Mechem & Gilbert's Cases on Damages.

TAXATION—Two hours a week Second Semester*Mr. TePoel*

Nature of taxes; nature of the power to tax; limitations of the taxing power by paramount law; purposes for which taxes may be laid; relation of tax to district; equality and uniformity of taxation; official action in matters of taxation; construction of tax laws; curing defects in tax proceedings; listing of persons and valuation of estates for taxation; collection of taxes; sale of land for unpaid taxes; taxation of business

and privilege; taxation by special assessments; enforcing official duty, remedies for wrongful action in tax proceedings.

Goodnow's Cases on the Law of Taxation.

MORTGAGES—Two hours a week Second Semester. . *Mr. Sidney Smith*

Essential elements of legal and equitable mortgages; rights of mortgagor and mortgagee at law and in equity; title, possession, dower, curtesy, waste, priorities, collateral agreements, foreclosure, redemption, extension, assignment and discharge of mortgages.

Wyman's Cases on Mortgages, (Revised Edition); Nebraska Statutes and practical exercises.

AGENCY—Two hours a week First Semester; one hour a week

Second Semester. *Mr. Daniel*

Definitions and distinctions; for what purposes an agency may be created; who may be principal or agent; appointment of agents and the evidence thereof; authority by ratification; delegation of authority by agent; termination of agency; nature and extent of authority; construction of authority; execution of authority; duties of agent to principal; duties and liabilities of principal to third persons; duties and liabilities of third persons to agents; duties and liabilities of third persons to principal; special classes of agents.

Mechem's Cases on the Law of Agency; Supplemented by Mechem's Outlines of the Law of Agency, (2nd Ed.).

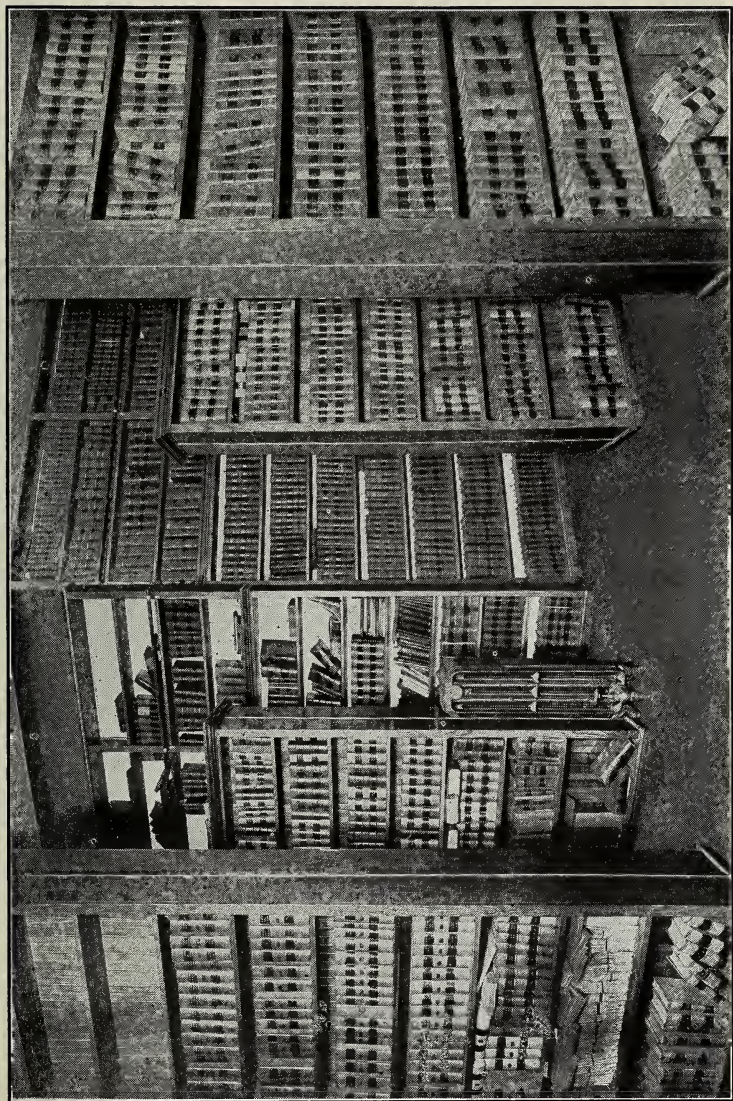
PARLIAMENTARY LAW, LEGISLATION AND PUBLIC SPEAKING

—One hour a week. *Mr. Bennewitz*

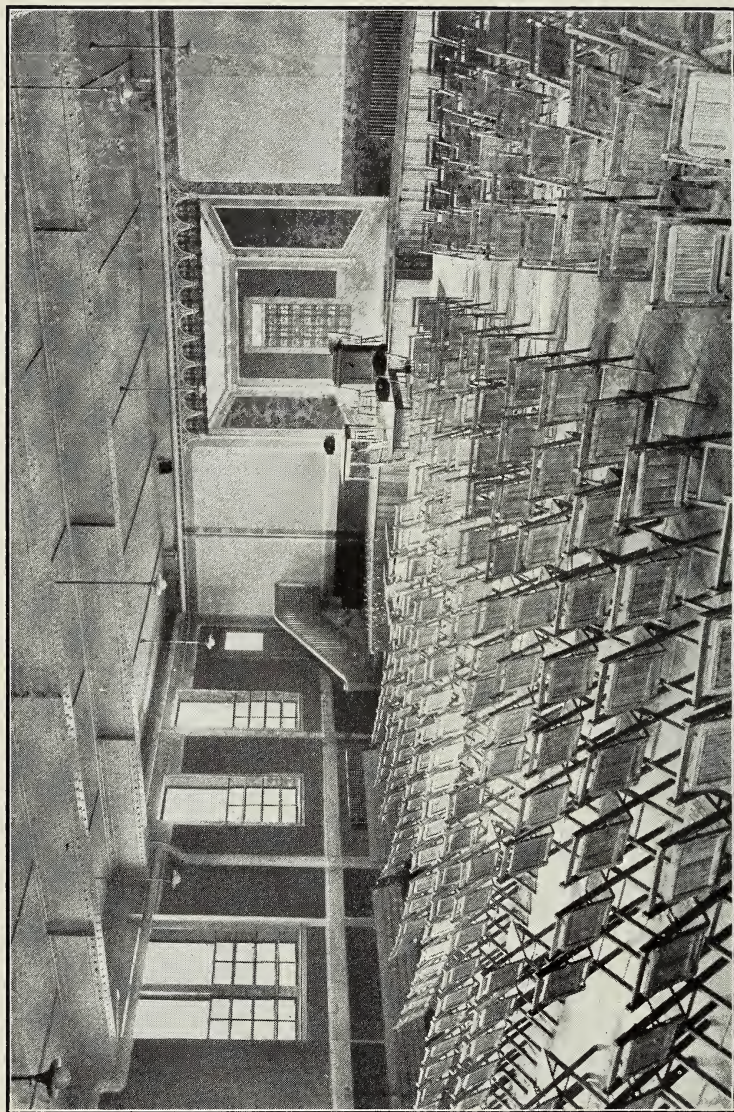
PRACTICE COURT—One hour a week.

. *Judges Vinsonhaler and Simeral*

A special court is organized for the Juniors in which, during the First Semester, the work of the Justice Court is illustrated, and during the Second Semester, that of the County Court, the Justice Court sessions being preceded each morning by a lecture on the History, Organization and Jurisdiction of the Nebraska Courts, and each session of the County Court by a lecture on the Conduct of Litigation. The Juniors are also required to attend the Friday evening sessions of the Moot Court, at which they act as witnesses.



Among the Book Stacks



Moot Court

Third Year

PRIVATE CORPORATIONS—Three hours a week.*Mr. Kennedy*

The idea of a corporation; the corporation as a subject and source of rights and obligations; special relations arising from the existence of a corporation; description and classes of corporations; the body corporate; its parentage, conception, birth, anatomy, life and death; rights and duties of the corporation in general; particular powers; ultra vires; corporate relations; governmental control; promoters; officers, shareholders, creditors and others.

Wilgus' Cases on the Law of Private Corporations. Vols. I and II.

MUNICIPAL CORPORATIONS—One hour a week.*Mr. Rine*

External constitution of municipal corporations; nature of municipal corporations; creation, alteration and dissolution; legislative control, in general; internal constitution; administration of government in general; departments; powers; acquiring, holding and dealing with property; liability for torts; liability on contracts; remedies of creditors.

Beale's Cases on Municipal Corporations.

TRUSTS—Two hours a week.*Mr. TePoel*

The nature and requisites of a trust; distinction between trust and debt, trust and bailment, trust and equitable charge, trust and executorship; language necessary to create a trust; consideration; the Statute of Frauds; subject matter; cestui que trust; trustee; notice to the cestui que trust; nature of the cestui que trust's interest; transfer of trust property; extinguishment of trust; duties of trustee.

BILLS AND NOTES—Three hours a week First Semester. . .*Mr. TePoel*

Formal requisites of bills of exchange and promissory notes; acceptance; indorsement; transfer; extinguishment; obligations of parties to bills and notes; diligence; nature of bill or note; negotiable paper other than bills, notes and checks; Negotiable Instruments Law.

Bunker's Cases on Bills and Notes.

PARTNERSHIP—Two hours a week Second Semester . . . *Mr. TePoel*

What constitutes a partnership; the creation of a partnership; the nature and characteristics of a partnership; the nature, extent and duration of partnership liability; the powers of partners; rights and duties of partners inter se; remedies of partners inter se; rights and remedies of creditors; termination of the partnership; limited partnerships.

Gilmore's Cases on Partnership.

CONFLICT OF LAWS—Two hours a week First Semester; one hour a week Second Semester . . . *Mr. Martin*

Jurisdiction; sources of law and comity; territorial jurisdiction; jurisdiction in rem and in personam; remedies; rights of action and procedure; creation of rights; personal rights; rights of property; inheritance; obligations ex delicto and ex contractu; recognition and enforcement of rights; personal relations; property; inheritance; administration of estate; judgments; obligations.

Beale's Cases on Conflict of Laws. (Shorter Selection.)

SURETYSHIP—Two hours a week First Semester . . . *Mr. Sidney Smith*

Nature of the contract of suretyship; surety's defenses against the creditor; surety's rights; creditor's rights to surety's securities.

Ames' Cases on Suretyship.

INSURANCE—Two hours a week Second Semester . . . *Mr. Daniel*

Insurable interest in various kinds of policies; what it is and when it must exist; concealments; misrepresentations, warranties and other matters affecting the validity of the contract; amount of recovery; subrogation; waiver; estoppel; election and powers of agents; assignees and beneficiaries.

PUBLIC SERVICE COMPANIES—One hour a week First Semester . . . *Mr. Daniel*

Nature of public calling; extent of public profession; obligations of public duty; excuses for refusing service; provision of adequate facilities; regulation of service; determination of reasonable rates; prohibition of unjust discrimination.

Wyman's Cases on Public Service Companies, (2nd Ed.).

BANKRUPTCY—One hour a week.....*Mr. Moorhead*

Historical introduction; the various bankruptcy acts; respective jurisdiction of the United States and several states; who may be a bankrupt, aliens and non-residents, infants and married women, insane persons, corporations, wage-earners and farmers; who may be a petitioning creditor; fraudulent conveyances; preferences; general assignments; what property passes to the trustee; provable claims; duties and powers of the bankrupt and his trustee; protection, exemptions and discharge of bankrupt.

Williston's Cases on Bankruptcy.

CONSTITUTIONAL LAW—Two hours a week.....*Mr. TePoel*

Nature of the Federal Constitution and its amendments; relation of the states to the federal government; departments of government; the legislative department; the powers of the executive; the judicial department; checks and balances in government; the government of the territories; the admission of new states; constitutional rules of state comity; the guaranty of republican government to the states; the amendments to the constitution; civil rights and their guaranties; political privileges; protection to persons accused of crime; protection to contracts and property.

McClain's Cases on Constitutional Law, (2nd Ed.).

PARLIAMENTARY LAW, LEGISLATION AND PUBLIC SPEAKING

One hour a week.....*Mr. Bennewitz*

PRACTICE COURT—One hour a week.....

.....*Judges Vinsonhaler and Simeral*

The Seniors act as attorneys in the public sessions of the Moot Court held on Friday evenings and in addition a separate session is held every Saturday morning for their benefit, at which the Court sits to hear equity matters and arguments on motions, demurrers, etc., looking to the making up of the issues in the cases tried on Friday evenings. The Seniors sit as Associate Justices of the Supreme Court and must file written opinions in the cases argued before them. They have also to appeal at least two cases to the Supreme Court, making an oral argument and filing a typewritten brief in each.

The division of the work in the Night School is as follows:

First Year

Contracts
Property
Torts
Persons

Criminal Law
Legal Ethics
Quasi-Contracts

Second Year

Equity
Agency
Property
Wills and Administration

Taxation
Code Pleading
Common Law Pleading
Damages

Third Year

Sales
Evidence
Partnership
Trusts

Mortgages
Constitutional Law
Public Service Companies

Fourth Year

Bills and Notes
Insurance
Conflicts
Suretyship

Bankruptcy
Private Corporations
Municipal Corporations

Electives

The following courses, not counting toward a degree, are offered, attendance at which is optional with both day and night students:

Legal Bibliography and Brief Making.

Conveyancing and Examination of Abstracts.

Judgments.

International Law.

Civil Law.

Public Officers and Extraordinary Legal Remedies.

Patents.

Federal Procedure.

Student Organizations

There are a number of student organizations in the University to which law students are welcome.

The University Debating Club, the Law School elocution and oratory classes and Model House, and the Moot Court afford an abundance of opportunity for the development of those qualities which are essential to the public speaker, and of incalculable advantage to the lawyer in the routine of his profession.

The University Band, Orchestra and Glee Club are open to law students who desire to develop their musical talents. The University Glee Club contributes materially to the musical and social activities of college life. The club gives one or more formal and several informal concerts during the year.

The Baseball, Football, Tennis and Track Teams are open to men of this department.

Both the Delta Phi Delta and Gamma Eta Gamma Legal Fraternities have local chapters in the school.

Admission

Persons over eighteen years of age, who are graduates of recognized Colleges and Universities, or accredited four-year High Schools, are eligible for admission to the Freshman Class without examination, as regular candidates for the LL. B. degree. No applicant will be received as a regular student unless he presents satisfactory certificate showing that he is entitled to thirty High School credits, one credit being given for work in a High School subject of five recitations a week, of not less than forty minutes each, during a period of at least eighteen weeks. Persons not thus qualified may, upon a proper showing as to preliminary training, enter as Special Students, not candidates for the LL. B. degree. In exceptional cases, special students may be permitted to remove their entrance conditions and register as regular candidates for the degree.

Advanced Standing

Students presenting proper credits from law schools belonging to the Association of American Law Schools may be admitted to advanced standing without examination. Persons from other schools may upon presenting certificates showing proper preliminary training and the completion of one year's study in such school register for the work

of the second year as special students; the registration will be changed from special to regular upon the applicant's passing satisfactory examinations in all of the first year subjects.

Attendance

Attendance at ninety per cent of the work of the school is required and a daily record is kept. Students whose attendance falls below ninety per cent in any course will be conditioned; the condition may be removed only by attaining a satisfactory grade in the next regular examination after the condition is imposed.

Attendance is counted from the opening of the year and it is therefore important that both old and new students register promptly. Application blanks should be obtained and filled out before the beginning of the school year.

New students should present, with their applications, proper certificates of preliminary training.

The faculty reserves the right to sever any student's connection with the school whenever, in their judgment, such action is advisable. No tuition will be refunded on the departure of any student from the school, whatever the cause of his departure may be. However, students who leave because of illness will be credited with the unused portion of their tuition, which will be available on their return.

Examinations

A written examination is given in each course at the end of each semester; students attaining a satisfactory grade will not be required to pass any other examination in the same subject matter; students failing to attain satisfactory grades will be conditioned. No student will be permitted to graduate until he has removed all conditions, or to advance to the work of the second or third year if there are two or more conditions against him.

Thesis

Every candidate for a degree must, in addition to passing satisfactory examinations and attending at least ninety per cent of the lectures, prepare an original thesis upon some legal topic of his own selec-

tion, approved by the Faculty. The subject for the thesis must be submitted for approval not later than December 1, 1912. The thesis must contain at least three thousand words, exclusive of citations, must be the student's own, unaided production, and must be finally submitted for the award of the Faculty not later than March 1, 1913.

Degree

The degree of Bachelor of Laws (LL. B.) is conferred on students who have completed satisfactorily the full course of instruction in the Department of Law, and on those, who having been regularly admitted to advanced standing, have satisfactorily completed the work of the third year. In all cases, candidates must have passed satisfactory examinations in all subjects of instruction.

Seniors attaining a general average of ninety per cent or more will receive the degree LL. B. *cum laude*; those whose general average is ninety-five per cent or more will receive the degree LL. B. *magna cum laude*.

Tuition and Fees

| | |
|--|---------|
| Matriculation Fee (paid but once) | \$ 5.00 |
| Graduation Fee | 10.00 |
| Tuition (day school, first semester) | 45.00 |
| “ “ “ (second semester) | 30.00 |
| “ (night school, first semester) | 30.00 |
| “ “ “ (second semester) | 30.00 |
| Library Fee (per year) | 2.00 |
| Fee for Special Examination | 2.00 |
| Special Fee (entitling holder to attend athletic events, Glee Club, concerts, Varsity debates, Arts Play and to a year's subscription to The Chronicle | 5.00 |

All money due from tuition, examination fees, books, etc., is payable in advance; students in arrears must cease to avail themselves of the privileges of the school until their accounts are settled; candidates for degrees must pay all bills due from them to the University ten days before Commencement.

Books

The *first* cost of the books needed for the course is approximately Fifty Dollars per year. Each student must provide himself with the necessary books at the beginning of the school year. At the close of the year, the school will buy back any books it sells, for one-half the selling price, provided the books are not marked up, superseded by later editions, or otherwise rendered unfit for use by other students. Students who prefer may rent books, the rental amounting to about \$12.00 per year.

Living Expenses

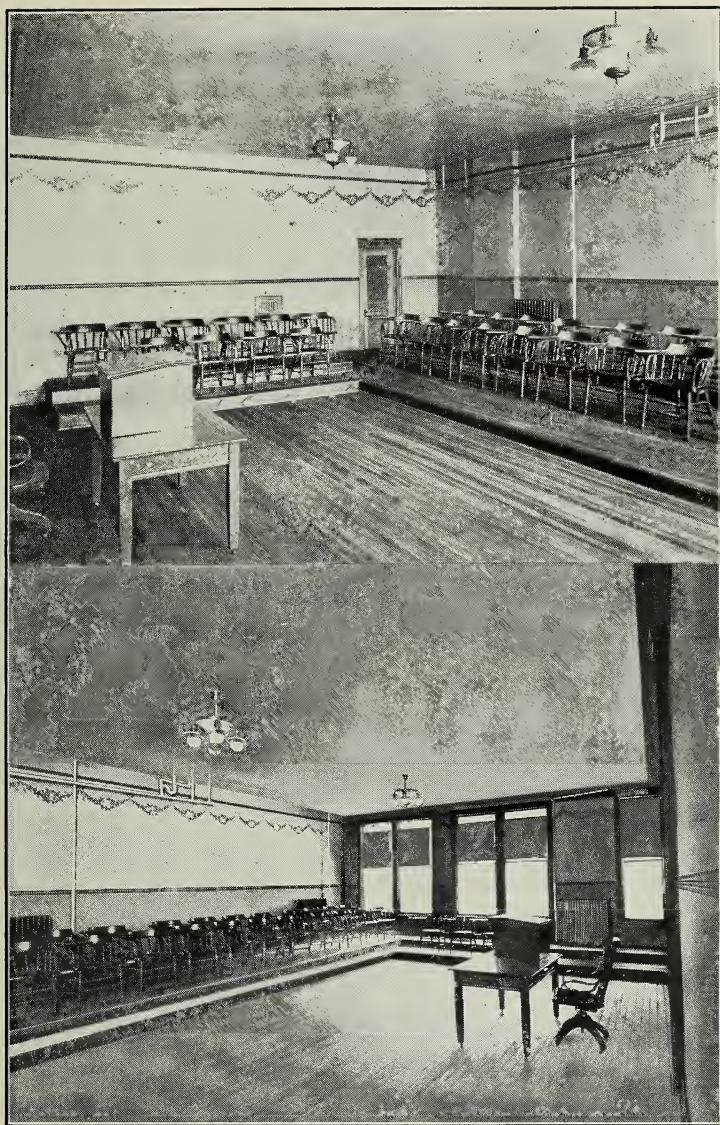
Board and lodging can be had for \$17.00 and upward per month, depending on the tastes of the individual.

Students have many opportunities to secure employment, by means of which they may defray a part of their expenses. Though the college authorities do not undertake to find employment for students, they will be glad to assist applicants to the best of their power. To this end a Bureau of Information has been established which also keeps a list of desirable boarding and rooming places. No charge is made for the services of this Bureau.

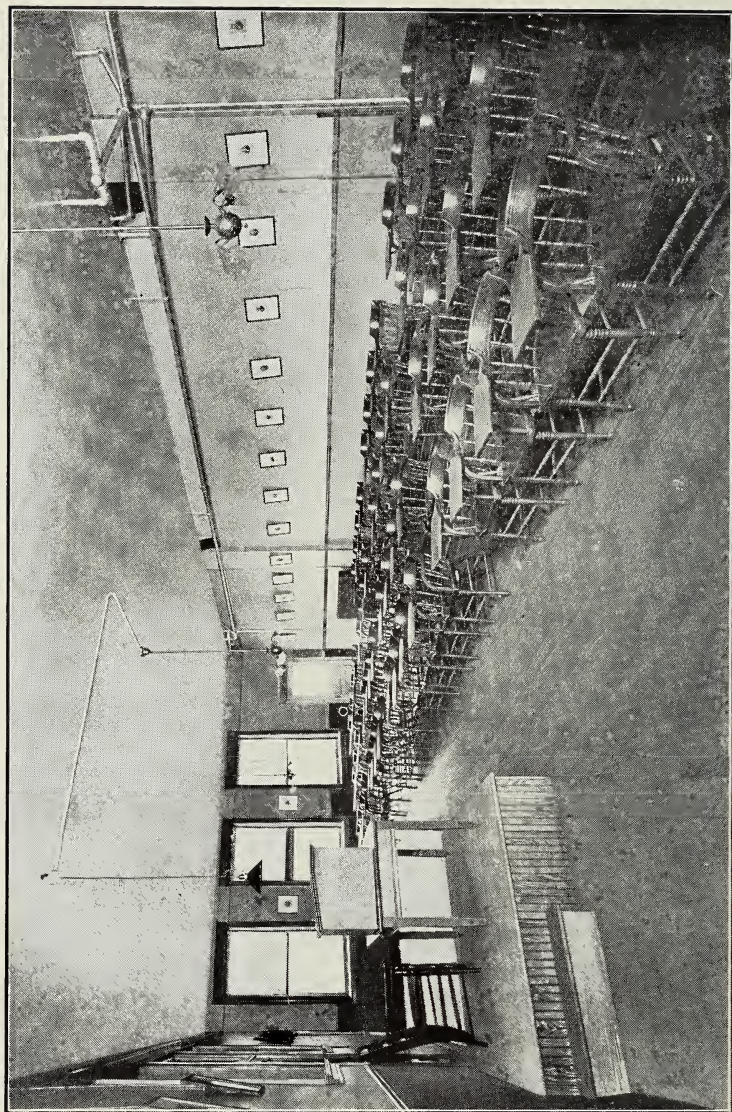
Scholarships and Prizes

To the student of the First and Second Year day class and of the First, Second and Third Year night class who attains the highest general average for the work of his class, provided such average is over ninety per cent, and the student has attended at least ninety per cent of the lectures given to his class, a free scholarship good for one year's tuition will be given. The names of the successful students will be announced within the first ten days of the school year succeeding that in which the scholarships were merited.

In 1911-12 the Day Freshman Scholarship was awarded to Joseph O. Burger and the Night Freshman Scholarship to John W. Delehant.



Senior and Junior Lecture Rooms



Freshman Lecture Room

Through the kindness of Callaghan & Co., of Chicago, a book prize, consisting of a set of Andrews' American Law, is offered to that member of the Graduating Class who attains the highest general average for class work, Moot Court and final thesis, provided such average is over ninety per cent.

This prize was awarded April 29, 1911, to Hubert C. Robertson of the class of 1911.

The debating prizes for the year 1911-12 were awarded as follows: Francis P. Matthews, '14, \$25.00; Philip E. Horan, '13, \$25.00; Charles Flanery, '13, \$15.00; Raymond T. Coffey, '12, \$15.00; W. Walter Hoyer, '12, \$10.00; John W. Delehant, '13, \$10.00.

Admission to the Bar

The Nebraska legislature of 1907 passed a bill permitting law schools approved by the Supreme Court to present their graduates for admission on motion without examination, provided that no school should be accorded this privilege which was not a member of the Association of American Law Schools. The following copy of a decree of the Nebraska Supreme Court, under date of December 3, 1907, is self-explanatory:

Supreme Court of Nebraska, September Term, A. D. 1907

Dec. 3.

In the Matter of the Creighton College of Law.

Now, on this 3d day of December, 1907, this matter having come on to be heard on the application of The Creighton University, and the showing filed in support thereof, the Court finds:

First—That Creighton College of Law is a department of The Creighton University.

Second—That said Creighton College of Law is a college of law

in this state, having entrance requirements and a course of study equal and equivalent to those of the law school of the University of Nebraska.

Third—That said Creighton College of Law is a member of the Association of American Law Schools.

It is therefore considered and ordered by the Court that Creighton College of Law be, and the same hereby is, designated as a college of law whose graduates shall be admitted to the bar without examination.

(Signed)

S. H. SEDGWICK,

Chief Justice.

For further information concerning the College of Law, address, The Dean, 210 South 18th Street, Omaha, Nebraska.

For information concerning the other Colleges of the University, address

The Dean, Creighton College of Pharmacy, 14th and Davenport Streets.

The Dean, Creighton College of Medicine, 14th and Davenport Streets.

The Dean, Creighton College of Dentistry, 210 South 18th Street.

The Dean, Creighton College of Arts, 25th and California Streets.

Following is a List of Students for the Year 1911-1912

SENIORS, DAY—21.

| | |
|---|------------------------|
| Carl J. Aldrich..... | Pender |
| Anson H. Bigelow..... | Lead, South Dakota |
| Donald J. Burke..... | Omaha |
| Raymond T. Coffey (Ph. B., Notre Dame)..... | Greenfield, Iowa |
| Edward E. Fearon..... | Omaha |
| Albert D. Fetterman..... | Omaha |
| Dana C. Geiselman..... | Geneva |
| Walter L. Griffith..... | Omaha |
| William C. Heelen..... | Alliance |
| W. Walter Hoyer..... | Mitchell, South Dakota |
| Walter T. Loomis..... | Omaha |
| Owen P. McCaffrey..... | Omaha |
| Frederick W. Messmore..... | Omaha |
| J. Gerald McVeigh..... | Odebolt, Iowa |
| Henry Monsky..... | Omaha |
| Kilian G. Regner..... | Howard, South Dakota |
| Arthur Rosenblum..... | Omaha |
| Roland D. Shields..... | Omaha |
| William T. Stanoshek..... | Odell |
| Ferdinand M. Ward..... | O'Neill |
| Robert J. Webb..... | Omaha |

JUNIORS, DAY—32.

| | |
|--|----------------------------|
| Alexander F. Brungardt (A. B., St. Benedict's).... | Victoria, Kansas |
| Joseph O. Burger..... | Omaha |
| James F. Connelly..... | Jersey City, New Jersey |
| Howard H. Craney (A. B., Creighton)..... | Independence, Iowa |
| John W. Delehant (A. M., Creighton)..... | Blue Springs |
| Paul Ferguson..... | Shenandoah, Iowa |
| Charles Flanery..... | Guthrie Center, Iowa |
| Chester D. Fletcher..... | Schuyler |
| Gerard A. Floersch..... | Flush, Kansas |
| William Grodzinsky..... | Omaha |
| John H. Hopkins..... | O'Neill |
| William A. Horton..... | Omaha |
| Garth B. Hyatt..... | East Las Vegas, New Mexico |
| Arthur B. Jaquith..... | Omaha |
| George A. Keyser (A. B., Creighton)..... | Omaha |
| William J. McNichols..... | O'Neill |
| Raphael J. Madden..... | Waseca, Minnesota |
| Lloyd A. Magney..... | Omaha |
| Carl R. Malm..... | Omaha |
| Martin H. Miller..... | Defiance, Missouri |
| Samuel L. O'Brien..... | Grinnell, Iowa |
| Thomas J. O'Keefe (B. S., Coe)..... | Cedar Rapids, Iowa |
| John H. O'Neil..... | Gothenburg |
| Robert B. Organ..... | Council Bluffs, Iowa |
| Guy N. Parmenter..... | Yutan |

| | |
|--|----------------------|
| Gerard V. Rademacher (A. B., Creighton)..... | Crete |
| Winfield R. Ross..... | Blair |
| Richard R. Ruplinger..... | Orleans |
| Frank A. Safranek..... | Tobias |
| Howard F. Smith..... | Council Bluffs, Iowa |
| George W. Utendorfer (A. B., LL. B., Minnesota)..... | Omaha |
| Anthony C. Wagner..... | Lindsay |

FRESHMEN, DAY—23.

| | |
|--|----------------------|
| Perry A. Bronson..... | Bancroft, Iowa |
| Thomas P. Curran..... | South Omaha |
| L. B. Day (A. B., Creighton)..... | Albion |
| Thomas S. Donnelly (A. B., Creighton)..... | Council Bluffs, Iowa |
| Charles A. Flynn..... | New Hartford, Iowa |
| Emmett T. Hannon..... | South Omaha |
| Leo E. Ineichen (A. B., Creighton)..... | Muscatine, Iowa |
| Carl C. Katleman..... | Omaha |
| George S. Kennedy..... | South Omaha |
| Patrick E. McGovern..... | South Omaha |
| Thomas J. McCarthy..... | South Omaha |
| William D. McHugh..... | Omaha |
| John O. Moran..... | Callaway |
| Walter T. More..... | Shelton |
| Walter A. Morgan..... | Lewis, Iowa |
| G. Wade Obee..... | Omaha |
| George W. Pratt..... | Villisca, Iowa |
| Leo E. Pryor..... | Wayne |
| Harry H. Putnam..... | Omaha |
| John J. Sullivan..... | Jerome, Arizona |
| James P. Sullivan..... | South Omaha |
| Mark A. Teefy..... | Sioux City, Iowa |
| Frederick Vosika..... | Wilber |

JUNIOR, NIGHT—7

| | |
|---|----------------------|
| John C. Barrett..... | South Omaha |
| Frederick B. Cherniss..... | Council Bluffs, Iowa |
| J. Edson Heath..... | South Omaha |
| Philip E. Horan (A. M., Creighton)..... | Omaha |
| James T. McGuckin..... | Council Bluffs, Iowa |
| Charles F. Schrempp..... | Hartington |
| Daniel P. Ward..... | O'Neill |

SOPHOMORE, NIGHT—10.

| | |
|---|----------------------|
| Jesse E. Jacobson..... | South Omaha |
| Franklin Johnson..... | Ludlow, Missouri |
| Francis R. Keegan (A. B., St. Thomas)..... | South Omaha |
| Joseph M. Lovely (A. B., Creighton)..... | Omaha |
| Floyd W. Marshall..... | Council Bluffs, Iowa |
| Francis P. Matthews (A. M., Creighton)..... | Albion |
| Edmund H. McCarthy..... | Omaha |
| Frederick J. Rossbach..... | Omaha |
| Walter H. Scott (A. B., Creighton)..... | Davenport, Iowa |
| John W. Whelan..... | Omaha |

FRESHMEN, NIGHT—33

| | |
|---|----------------------|
| George D. Babbitt..... | Omaha |
| Patrick J. Barrett..... | O'Neill |
| Arthur J. Beacom..... | Omaha |
| Clarence E. Becker..... | Omaha |
| John P. Byrne (A. B., Creighton)..... | Omaha |
| Earl B. Clark..... | Garrettsville, Ohio |
| Jesse V. Craig..... | Wymore |
| Jackson R. Day..... | Council Bluffs, Iowa |
| John C. Doubek..... | St. Louis, Missouri |
| Albert W. Elsasser..... | Omaha |
| Hugh F. Gillespie (A. B., Creighton)..... | Omaha |
| Francis P. Hogan..... | Fonda |
| Walter C. Hronek (A. B., Creighton)..... | Pocahontas, Iowa |
| Anton J. Jackl..... | Omaha |
| Irvin E. Jones..... | Meadow Grove, Iowa |
| Louis A. Kennedy (A. B., Creighton)..... | Omaha |
| Louis A. Kerr..... | Omaha |
| Melankton K. Krikorian (A. B., St. Paul's Institute)..... | Tarsus, Turkey |
| John H. Lebens..... | Jordon, Minnesota |
| Eugene L. Mahlin..... | David City |
| Claude B. Matthai | Omaha |
| Hugh H. McCulloch (A. B., Knox)..... | South Omaha |
| John H. McDonough..... | Omaha |
| Edward J. McVann..... | Omaha |
| Anthony T. Monahan..... | Omaha |
| Clifford A. Moredick..... | Omaha |
| Edmund J. Nicholas..... | Geneva |
| Clarence K. Patton..... | Omaha |
| Leonard L. Ryan..... | Council Bluffs, Iowa |
| Gabriel A. Shaddy..... | Omaha |
| George L. Streck..... | Grinnell, Iowa |
| Emil E. Swanson..... | Omaha |
| Max P. Wallburg..... | Omaha |

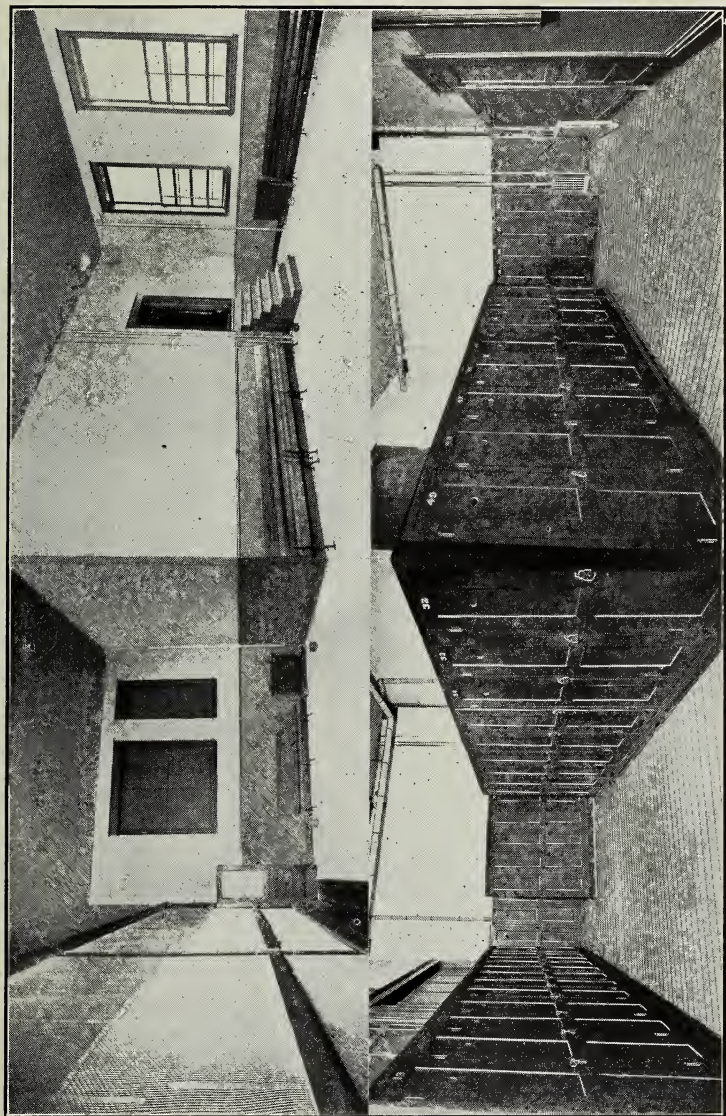
RECAPITULATION.

| | |
|-----------------------|-----|
| Seniors, Day..... | 21 |
| Juniors, Day..... | 32 |
| Freshmen, Day..... | 23 |
| Junior, Night..... | 7 |
| Sophomore, Night..... | 10 |
| Freshmen, Night..... | 33 |
| Total | 126 |

GRADUATES.

| | |
|--|-------------------------|
| James P. Boler..... | Greeley, 1907 |
| Hugh J. Boyle..... | O'Neill, 1910 |
| John J. Boyle..... | O'Neill, 1910 |
| Charles L. Brome..... | Basin, Wyoming, 1908 |
| Clinton Brome..... | Omaha, 1908 |
| H. Martin Buddha..... | Omaha, 1909 |
| Charles S. Burke (A. B., Creighton)..... | Morris, Minnesota, 1908 |
| Benjamin Cunningham..... | Grand Island, 1910 |

| | |
|--|---------------------------------|
| William J. Donahoe (A. B., Creighton)..... | Albion, 1911 |
| M. Joseph Donnelly | Cedar Rapids, Iowa, 1907 |
| Florence W. Driscoll | Wichita, Kansas, 1911 |
| William C. Fraser..... | Omaha, 1908 |
| Henry M. Gallagher..... | Waseca, Minnesota, 1910 |
| David L. Gogerty..... | Sheridan, Wyoming, 1908 |
| Joseph F. Green..... | Creighton, 1906 |
| William R. Green..... | Council Bluffs, Iowa, 1911 |
| Julius L. Greer..... | Omaha, 1910 |
| Ernest T. Grunden..... | Elwood, 1909 |
| Charles Haffke..... | Omaha, 1908 |
| James H. Hanley..... | Washington, D. C., 1910 |
| Hugh H. Harper..... | Northport, 1910 |
| Amos E. Henely (A. B., A. M., Creighton)..... | Omaha, 1909 |
| Edward D. Hogan (A. B., Creighton)..... | Cascade, Iowa, 1908 |
| William N. Jamieson (A. B., St. Mary's)..... | Papillion, 1910 |
| Frank Kelly..... | Merna, 1906 |
| James M. Lanigan (A. B., Creighton)..... | Greeley, 1910 |
| Edward F. Leary (A. B., Creighton)..... | Omaha, 1907 |
| William P. Lynch (A. B., Creighton) | Omaha, 1906 |
| George H. Merten (A. B., Creighton)..... | Omaha, 1907 |
| Harland L. Mossman (A. B., Morningside, A. M., Creighton) .. | |
| | Sisseton, South Dakota, 1909 |
| Thomas B. Murray | Omaha, 1910 |
| C. Joseph McCaffrey (A. B., Creighton)..... | Omaha, 1907 |
| Clement B. McCartan..... | Pocahontas, Iowa, 1911 |
| Edward B. McDermott..... | Kearney, 1910 |
| Patrick H. McNally (A. B., Detroit)..... | Chicago, Illinois, 1911 |
| Robert E. McNally (A. B. Creighton).... | Sheridan, Wyoming, 1909 |
| Edward H. McMurphy..... | Hillsdale, Illinois, 1907 |
| John I. Negley..... | Omaha, 1906 |
| Richard J. Organ..... | Council Bluffs, Iowa, 1906 |
| Eugene D. O'Sullivan..... | Omaha, 1910 |
| Arthur W. Proctor..... | Washington, D.C., 1910 |
| William P. Rooney..... | Chadron, 1909 |
| Hubert C. Robertson (A. B., University of Nebraska) .. | Omaha, 1911 |
| Arthur E. Ryman..... | Denver, Colorado, 1910 |
| William A. Schall (A. M., Creighton)..... | Omaha, 1910 |
| Henry W. Shackelford..... | Omaha, 1910 |
| J. Walter Schopp (A. B., Creighton)..... | Omaha, 1910 |
| Louis J. Schneider..... | Neola, Iowa, 1908 |
| Arthur P. Schnell..... | Sturgis, South Dakota, 1906 |
| William H. Shaw..... | Klamath Falls, Idaho, 1910 |
| Louis J. Somers..... | New Haven, Connecticut, 1909 |
| John J. Spillane..... | New Richland, Minnesota, 1910 |
| William P. Sternberg (A. B., Creighton)..... | Humphrey, 1910 |
| Dale P. Stough | Broken Bow, 1911 |
| Robert Stuart (A. B., A. M., Creighton)..... | Pawhuska, Oklahoma, 1908 |
| Joseph R. Sullivan (A. B., Creighton).... | Laramie, Wyoming, 1905 |
| Charles J. Thielen (A. M., Creighton) .. | Moorcroft, Wyoming, 1911 |
| Ralph A. Van Orsdel (A. B., University of Nebraska) .. | Omaha, 1910 |
| Peter F. Ward..... | Hot Springs, South Dakota, 1910 |
| Robert J. Webb..... | Omaha, 1911 |
| Ralph M. West, (A. B., Iowa College A. M., Creighton) .. | Omaha, 1910 |
| Raymond G. Young..... | Omaha, 1908 |
| Julius J. Zitnik | Omaha, 1911 |



Smoking, Recreation and Locker Rooms

